



# California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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## PROPOSED ACTION ON REGULATIONS

*Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.*

### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

#### CONFLICT OF INTEREST CODES

##### AMENDMENT

MULTI-COUNTY: Reclamation District 1001  
Delano-Earlimart Irrigation  
District

A written comment period has been established commencing on **December 19, 2008**, and closing on **February 2, 2009**. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branaman, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the

proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **February 2, 2009**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

#### COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

#### EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

#### AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

#### REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

#### CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**AVAILABILITY OF PROPOSED CONFLICT  
OF INTEREST CODES**

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 3. DEPARTMENT OF FOOD  
AND AGRICULTURE**

**NOTICE IS HEREBY GIVEN** that the Department of Food and Agriculture (Department) is proposing to take the action described in the Informative Digest. The Department will hold a public hearing regarding this proposal as follows:

Department of Food and Agriculture  
Animal Health and Food Safety Services  
Milk and Dairy Food Safety Branch  
1220 N Street  
Sacramento, CA 95814  
Telephone (916) 654-0773; Fax (916) 653-7512

**February 3, 2009**  
**10:00 a.m. – 12:00 p.m.**  
**1<sup>st</sup> Floor, Main Auditorium**

Any person interested may present statements or arguments in writing relevant to the action proposed to the person designated in this Notice as the contact person beginning December 19, 2008 and ending at 5:00 p.m. February 2, 2009, or comments may be submitted at the public hearing. Following the public hearing, the Department, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 407, 35781, and 36601 of the Food and Agricultural Code, and to implement, interpret or make specific sections 32509, 32510, 32511, 32731, 32761, 35602, 36123, and 36331, Food and Agricultural Code, the Department proposes to amend section 625 of Article 21, Chapter 1, Division 2, of Title 3 of the California Code of Regulations, as follows:

**INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW**

Existing law, section 35781 of the Food and Agricultural Code, authorizes the Department to specify the quality standards for market milk. The Department, by regulation, may require different standards for raw market milk for pasteurization from the standards specified in law if it determines, after an administrative hearing, that the standards are necessary to protect or improve milk quality.

Existing law, section 36601 of the Food and Agricultural Code, authorizes the Department to specify, by regulation, the quality standards that are necessary for any product which is defined in Division 15 of Part 1 of said Code.

Pursuant to the above sections of law, the Department has in place section 625 of Article 21, Chapter 1, Division 2, of Title 3 of the California Code of Regulations to specify the standards for somatic cell counts in milk.

This proposal updates section 625 to specify somatic cell count standards for market milk from cows and goats, and deletes references to the California Mastitis Test (CMT). The Pasteurized Milk Ordinance, published by the United States Food and Drug Administration, no longer references the CMT as an official method for determination of somatic cells in milk.

The Department is incorporating by reference in this proposal the Standard Methods for the Examination of Dairy Products, 17th Edition (2004), published by the American Public Health Association. This proposal will bring California into conformity with federal requirements of the Food and Drug Administration as published in the Grade "A" Pasteurized Milk Ordinance, 2005 Revision.

Additionally, this proposal contains organizational and formatting changes for clarity purposes.

**Comparable Federal Regulations**

There are comparable federal standards for milk as published in the Grade "A" Pasteurized Milk Ordinance. However, the Department may, by regulation, adopt quality standards for market milk pursuant to Food and Agricultural Code section 35781.

**FISCAL IMPACT ESTIMATES**

**Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:** None

**Nondiscretionary Costs/Savings to Local Agencies:** None

**Local Mandate:** None

**Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement:** None

Business Impact: The Department has made an initial determination that the proposed regulatory action will not have a significant, statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Department has determined that this regulatory proposal will not have any impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in California.

Cost Impacts on Private Persons or Entities: The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

#### EFFECT ON SMALL BUSINESS

The Department has determined that the proposed regulations would affect small businesses.

#### CONSIDERATION OF ALTERNATIVES

The Department of Food and Agriculture must determine that no reasonable alternative which is considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing, or during the public comment period.

#### INITIAL STATEMENT OF REASONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action and has available all the information upon which the proposal is based.

#### TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all the information upon which the proposal is based, may be obtained by contacting the persons named below or by

accessing the Department's website as indicated below in this Notice.

#### AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the persons named below.

Any person may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact persons named below or by accessing the website listed below.

#### CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations, or any written comments, facsimiles or electronic mail concerning this proposal are to be addressed to the following:

Name: Kristen Dahl, Agriculture  
Program Supervisor  
Address: Department of Food and  
Agriculture  
Milk and Dairy Food Safety  
Branch  
1220 N Street  
Sacramento, CA 95814  
Telephone No.: (916) 654-0773  
Fax No.: (916) 653-7512  
E-mail address: [KDahl@cdfa.ca.gov](mailto:KDahl@cdfa.ca.gov)

The backup contact person is:

Name: Nancy Grillo, Associate Analyst  
Address: Department of Food and  
Agriculture  
Animal Health and Food Safety  
Services  
1220 N Street, Room A-114  
Sacramento, CA 95814  
Telephone No.: (916) 651-7280  
Fax No.: (916) 653-4249  
E-mail address: [NGrillo@cdfa.ca.gov](mailto:NGrillo@cdfa.ca.gov)

Website Access:

Materials regarding this proposal can be found by accessing the following Internet address: <http://www.cdfa.ca.gov/ahfss/regulations.html>.



**TITLE 4. CALIFORNIA SCHOOL  
FINANCE AUTHORITY**

**NOTICE OF PROPOSED  
RULEMAKING ACTION**

**CALIFORNIA SCHOOL FINANCE  
AUTHORITY**

**Article 2, Sections 10175 to 10191  
Title 4, Division 15  
California Code of Regulations**

NOTICE IS HEREBY GIVEN that the California School Finance Authority (CSFA), organized and operating pursuant to Sections 17170 through 17199.5 of the Education Code, proposes to amend the proposed regulations described below after considering all comments, objections and recommendations regarding the proposed action. Any person interested may present statement or arguments relevant to the proposed action to the attention of the Contact Person as listed in this Notice no later than 5:00 p.m. on Monday, February 2, 2008. The CSFA Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person(s) designated in this notice as Contact Person and will be mailed to those persons who submit statements related to this proposal or who have required notification of any changes to the proposal.

**PROPOSED REGULATORY ACTION**

CSFA proposes to amend Sections 10175, 10176, 10177, 10182, 10185, 10187, 10188, 10189, and 10190 of Title 4 of the California Code of Regulations (Regulations). The Regulations implement CSFA's responsibilities related to the State Charter School Facilities Incentive Grants Program (Grant).

**AUTHORITY AND REFERENCE**

Authority: Sections 17179 and 17180, Education Code. Section 17179 provides CSFA with the authority to do all things reasonably necessary to carry out its responsibilities. Section 17180(a) of the Education Code provides CSFA the authority to adopt bylaws for the regulation of its affairs and the conduct of its business.

Subsection (d) provides CSFA with the authority to receive and accept grants from the federal government.

Reference: Sections 17078.52–17078.66 of the Education Code, section 17180(d) of the Education Code; and section 47600, et seq., of the Education Code. These Regulations implement the State Charter School Facilities Incentive Grants Program (Grant) and include a number of the requirements of that program contained in the reference code provisions and their implementing Regulations. They also rely on a number of provisions in the Charter Schools Act of 1992, commencing with section 47600 of the Education Code. Section 17180(d) provides CSFA with the authority to receive grants from the federal government.

**INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW**

CSFA was created in 1985 to assist school districts and community college districts in financing school construction projects (Education Code section 17170, et seq.). CSFA is authorized to adopt bylaws for the regulation and conduct of its business, is vested with all powers reasonably necessary to carry out its powers and responsibilities, and may receive and accept grants from a federal agency (education Code sections 17179 and 17180).

In 2004, the United States Department of Education approved a grant award to CSFA pursuant to the State Charter School Facilities Incentive Grants Program (Grant), authorized under Title V, Part B, Subpart 1 of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001. The Grant provides for \$49,250,000 to be awarded over a five year period for the purposes of funding per-pupil facilities aid programs for California charter schools. Grant funds may be applied toward a charter school's annual costs of rent, lease, mortgage or debt service payments for facilities or toward the purchase, design and construction costs of acquiring land and constructing or renovating a facility.

Pursuant to the federal rules governing the Grant, \$9,850,000 must be allocated during each of five consecutive federal fiscal years. The first funding round began on June 28, 2005 when an emergency rulemaking file was approved by the Office of Administrative Law. Permanent Regulations implementing the Grant were approved March 24, 2006.

The allocation of these grant funds to eligible charter schools is based on preference points assigned for certain factors, including the low income population served by the school as reported by the percentage of students eligible to receive free/reduced price meals, the school's nonprofit status, and whether a school is located in an overcrowded attendance area.

The amendments to the Regulations are briefly summarized below and are intended to clarify the requirements as well as to add a fourth preference point category and increase the weight allocated to preference points based on factors specific to each applicant charter school and also to reduce the weight allocated to the factor that is more generally based on the district where the school is located.

Section 10175: Amendments clarify that CFDA#84.282D will be included on all program documents per U.S. Department of Education regulations.

Sections 10176 and 10177: Amendments update the Application form number and clarify the term “Chartering Authority” to include the governing board of the school district or county board of education, or the State Board of Education. The amendments also state that an eligible applicant can not have previously received an award for funding.

Section 10182: Amendments increase the maximum preference points that may be assigned; schools that are physically located within three miles of any public school for which the public school is eligible for funding under the Overcrowding Relief Grant or that meet the criteria for the Critically Overcrowded School Program will receive 10 preference points. The spelling of “website” is amended to match other references.

Section 10185: Amendments provide clarification that the end of the funding period is designated as September 30, 2012 by the U.S. Department of Education and that staff may determine at its discretion that if the Subgrantee does not demonstrate timeliness or feasibility in providing verification of continued eligibility, the Subgrantee will be not eligible for disbursements and the missed disbursements may be forfeited.

Section 10187: The word “Subgrantee” is capitalized to match other references.

Section 10188: Amendments clarify Subgrantees’ disbursement schedule will be on a monthly basis. In addition, the amendment clarifies that all grant funds not disbursed as scheduled can not be disbursed retroactively and will be deemed to be unencumbered and will immediately revert to the Authority. New subsection (d) confirms the federal requirement that Subgrantees must minimize the amount of time elapsing between the transfer of fund and the disbursement of funds.

Section 10190: Amendments clarify that charter schools receiving awards must routinely verify continued eligibility including, but not limited to, submitting a completed Legal Status Questionnaire for approval prior to a disbursement.

#### OTHER MATTERS PRESCRIBED BY STATUTES APPLICABLE TO THE SPECIFIC STATE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

No other matters prescribed by statute are applicable to CSFA or to any specific Regulation or class of Regulations pursuant to 11346.5(a)(4) of the California Government Code pertaining to the proposed Regulations or CSFA.

#### MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

CSFA has determined that the Regulations do not impose a mandate on local agencies or school districts.

#### FISCAL IMPACT

CSFA has determined that the Regulations do not impose any additional cost or savings to any state agency, any costs to any local agency or school district requiring reimbursement under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code, any other non-discretionary cost or savings to any local agency, or any cost or savings in federal funding to the State.

While CSFA will incur additional expenses in implementing and administering the Grant, the U.S. Department of Education provides that CSFA may charge such additional expenses for CSFA’s administrative costs against the Grant, up to five percent. Therefore, there is no fiscal impact on the State’s General Fund or requirement of additional appropriations by the Legislature. There will be no cost or savings to any State Agency pursuant to Government Code sections 11346.1(b) or 11346.5(a)(6).

#### INITIAL DETERMINATION REGARDING ANY SIGNIFICANT, STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

CSFA has made an initial determination that the Regulations will not have any significant, statewide adverse

economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

#### **EFFECT ON SMALL BUSINESSES**

CSFA has determined that the adoption of the Regulations will not affect small business. The Grant is a voluntary financing program available to charter schools to assist in the financing of charter school facilities.

#### **COST IMPACTS**

The CSFA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### **ASSESSMENT OF EFFECT ON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION**

Adoption of these regulations will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

#### **COST IMPACT ON HOUSING**

The Regulations will not have any effect on housing costs.

#### **REASONABLE ALTERNATIVES**

In accordance with Government Code Section 11346.5(a)(13), CSFA must determine that no reasonable alternative to the Regulations considered by CSFA or that has otherwise been identified and brought to the attention of CSFA would be more effective in carrying out the purpose for which the Regulations are proposed or would be as effective and less burdensome to affected private persons than the Regulations.

CSFA invites interested persons to present statements with respect to alternatives to the Regulations during the written comment period.

#### **AGENCY CONTACT PERSON(S)**

Written comments, inquiries, and any questions regarding the substance of the Regulations shall be submitted or directed to:

Katrina Johantgen, Executive Director  
California School Finance Authority  
304 South Broadway, Suite 550  
Los Angeles, CA 90013-1224

or

915 Capitol Mall, Room 336  
Sacramento, CA 95814  
(916) 651-7710

The following person is designated as a backup contact person for inquiries only regarding the Regulations:

Kristin Smith, Staff Counsel  
State Treasurer's Office  
(916) 653-2971

#### **WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comments relevant to the Regulations to CSFA. The written comment period on the Regulations will end at 5:00 p.m. on February 2, 2008. All comments to be considered by CSFA must be submitted in writing to the Agency Contact Person identified in this Notice by that time. In the event that changes are made to the Regulations during the written comment period, CSFA will also accept additional written comments limited to any changed or modified Regulations for 15 calendar days after the date on which such Regulations, as changed or modified are made available to the public pursuant to title 1, Chapter 1, Section 44 of the California Code of Regulations. Such additional written comments should be addressed to the Agency Contact Person identified in this Notice.

#### **AVAILABILITY OF INITIAL STATEMENT OF REASONS, RULEMAKING FILE AND EXPRESS TERMS OF PROPOSED REGULATIONS**

Pursuant to the California Government Code, CSFA has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at CSFA's office at 915 Capitol Mall, Sacramento, California, during normal business hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons, and the proposed text of the Regulations. Copies of these items are available upon request, from the Agency Contact Person designated in this Notice. The Sacramento address will also be the location for inspection of the rulemaking file and any other public records, including reports, documentation and other materials related to this proposed regulatory action. In addition, the rulemaking file, including the Initial Statement of Reasons and the



proposed text, may be viewed on CSFA's Web site at [www.treasurer.ca.gov/csfa](http://www.treasurer.ca.gov/csfa).

## PUBLIC HEARING

No public hearing regarding the Regulations has been scheduled. Anyone wishing a public hearing must submit a request in writing, pursuant to Section 11346.8 of the Government Code, to CSFA at least 15 days before the end of the written comment period. Such request should be addressed to the Agency Contact Person identified in this Notice and should specify the Regulations for which the hearing is being requested.

## 15-DAY AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period ends and following a public hearing, if any is requested, CSFA may adopt the Regulations substantially as described in this Notice, without further notice. If CSFA makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public (including through CSFA's Web site described above) for at least fifteen (15) calendar days before CSFA adopts the proposed Regulations, as modified. Inquiries about and requests for written copies of any changed or modified regulations should be addressed to the Agency Contact Person identified in this Notice.

## AVAILABILITY OF FINAL STATEMENT OF REASONS

CSFA is required to prepare a Final Statement of Reasons pursuant to Government Code section 11346.9. Once CSFA has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests a copy and will be available on CSFA's Web site described above. Written requests for copies should be addressed to the Agency Contact Person identified in this Notice.

## TITLE 4. STATE ATHLETIC COMMISSION

NOTICE IS HEREBY GIVEN that the State Athletic Commission (hereinafter "Commission") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Van Nuys State Building located at 6150 Van Nuys Blvd., Van Nuys, California 91401, at 10:00 a.m., on February 10, 2009.

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Commission at its office not later than 5:00 p.m. on February 2, 2009 or must be received by the Commission at the hearing. The Commission, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 18611 and 18763 of the Business and Professions Code, and to implement, interpret or make specific Sections 18640, 18642, 18710, 18714, 18724, 18725, 18765, 18842, and 18843 of said Code, the Commission is considering changes to Division 2 of Title 4 of the California Code of Regulations as follows:

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

### 1. Amend Section 406.

Existing regulation states the professional boxer shall not be eligible for pension benefits until he or she reaches the age of 55. Professional boxers have a much shorter career span than traditional individuals involved in a retirement plan. This proposal would reduce the qualifying age of retired professional boxers from 55 to 50 in order to receive distributions from the plan.

## FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The amendment of Section 406 is not expected to have any fiscal impact as it simply reduces the qualifying age for professional boxers from 55 to 50. The proposed regulatory change could have a beneficial economic effect on an individual level for the retiree.

Nondiscretionary Costs/Savings to Local Agencies:  
None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

After a review of the proposed changes to the existing rules, the Commission has made an initial determina-

tion that the proposed regulatory action would not have any significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

and

The following studies/relevant data were relied upon in making the above determination: None

Impact on Jobs/New Businesses:

The Commission has determined that this regulatory proposal would not have any significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed regulatory action. The proposal lowers the qualifying age of a professional boxer from age 55 to age 50 thus allowing the athlete to receive his or her pension distribution at an earlier age.

Effect on Housing Costs: None

## EFFECT ON SMALL BUSINESS

The Commission has determined that the proposed regulatory change would not have an impact on small businesses that are operating in the State of California as the reduction in retirement age from 55 to 50 affects individuals strictly on a personal level in determining their individual eligibility to qualify for pension benefits.

## CONSIDERATION OF ALTERNATIVES

The Commission must determine that no alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the actions are proposed or would be as effective as and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

## INITIAL STATEMENT OF REASONS AND INFORMATION

The Commission has prepared an initial statement of the reasons for the proposed action and has available all of the information upon which the proposal is based.

## TEXT OF PROPOSAL

Copies of the exact language of the proposed regulation and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California State Athletic Commission at 2005 Evergreen Street, Suite 2010, Sacramento, California 95815.

## AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulation is based is contained in the rulemaking file which is available for public inspection by contacting the person named below. You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

## CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Bill Douglas  
Address: 2005 Evergreen Street,  
Suite 2010  
Sacramento, CA 95815  
Telephone No.: (916) 263-2195  
Fax No.: (916) 263-2197  
E-Mail Address: william\_douglas@dca.ca.gov

The backup contact person is:

Name: Sal Barajas  
Address: 2005 Evergreen Street,  
Suite 2010  
Sacramento, CA 95825  
Telephone No.: (916) 263-2195  
Fax No.: (916) 263-2197  
E-Mail Address: sal\_barajas@dca.ca.gov

Website Access: Materials regarding this proposal can be found at [www.dca.ca.gov/csac](http://www.dca.ca.gov/csac).

## TITLE 11. DEPARTMENT OF JUSTICE

### NOTICE OF PROPOSED AMENDMENTS TO DEPARTMENT OF JUSTICE REGULATIONS PERTAINING TO CHILD ABUSE REPORTS RECORDKEEPING

NOTICE IS HEREBY GIVEN that the Department of Justice (DOJ), pursuant to the authority vested in California Penal Code (PC) section 11170(a) in order to administer the requirements of the Child Abuse and Neglect Reporting Act (CANRA) set forth in PC section 11164 *et seq.*, is proposing to amend its regulations pertaining to Child Abuse Reports Recordkeeping in Title 11, Division 1, Chapter 9, Article 1 of the California Code of Regulations.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

##### Existing Laws and Regulations

Existing law (PC section 11170(a)) requires the DOJ to maintain an index of all reports of child abuse and severe neglect submitted pursuant to PC section 11169 and to continually update the index. The DOJ currently maintains the Child Abuse Central Index (CACI) to carry out provisions of the statute. Existing law also provides that the DOJ may adopt rules governing recordkeeping and reporting. In 1988 the DOJ adopted Regulations Pertaining to Child Abuse Reports Recordkeeping, which were added to the California Code of Regulations, as Sections 900 through 911, Title 11, Division 1, Chapter 9, Article 1. In 2002, the DOJ amended the regulations to implement changes in the law, and in 2005 the DOJ again amended the regulations because of a statutory change in definitions and to clarify definitions and procedures for reporting and recordkeeping.

##### Proposed Amendments to Regulations

The DOJ seeks to amend regulations sections 900 through 911 to provide clearer guidance to local agencies required to make reports to the CACI under PC section 11169 and to streamline the reporting process so that more complete information is reported to the CACI. The reporting requirements in the proposed amended regulations are more consistent with the legislative intent of CANRA in that the CACI simply serves as a reference tool to locate investigatory reports regarding prior allegations of child abuse and severe ne-

glect. By reducing the number of items that need to be reported to the DOJ, the revised regulations will ensure that reports of suspected abuse or neglect are more promptly processed and that the DOJ will have fewer instances where reports are not filed in the CACI because the local reporting agency failed to include information currently required by the regulations. In sum, the revised regulations will speed up entry of information in the CACI, impose less reporting burdens on reporting agencies, result in fewer reports being deemed or returned as incomplete, and will still fulfill the intent of the Legislature that the CACI be a valuable tool for locating instance of prior suspected abuse or severe neglect. Additionally, in the case of *Michael S. Whyte v. California Department of Justice*, the Kern County Superior Court issued a judgment holding that section 908 violated the Information Practices Act of 1977, Civil Code section 1798 *et seq.*, and therefore was unlawful. The proposed amended regulations implement the judgment issued by the court in the *Whyte* case. Lastly, a settlement was reached in the case *Gomez v. Saenz et al.* whereby an individual listed on the CACI by local social welfare agencies may challenge his or her listing on the CACI. The revised regulations permit reporting local social welfare agencies to submit a revised determination whether a person should still be listed on the CACI following the challenge.

The following items outline the proposed amendments.

1. **The title of the Regulations is amended from “Department of Justice Regulations for Child Abuse Reports Recordkeeping” to “Department of Justice Regulations for Child Abuse or Severe Neglect Report Indexing.”**
2. **The title of Article 1 is amended from “Report of Child Abuse” to “Administration of the Child Abuse Central Index.”**
3. **Section 900 (Scope) is reworded to rename the statewide file from ACAS to CACI; and to specify the statutory authority and requirements relating to the implementation of the CACI, the submission of child abuse information to the DOJ, and the administration of the CACI.**
4. **Section 901 is amended as follows:**
  - This section is renamed from “Definitions” to “Form Required for Submitting Report of Suspected Child Abuse or Severe Neglect.”
  - Existing subsections (a) through (t) defining terms found in the regulations are deleted.

- Subsection (a) is added rewording the agency requirement to report instances of known or suspected child abuse or severe neglect (previously described in section 903(a) of the Regulations) and the phrase “required to report instances of” replaces “required to report investigation summaries of.”
- Subsection (b) is added and introduces the reporting form (previously described in section 903(b) of the Regulations).
- **The reporting form is amended as follows:**
  - The form itself is amended to a single page, No Carbon Required (NCR) document from a 5 page NCR document and the main section headings have been centered.
  - The form number is amended from “SS 8583” to “BCIA 8583.”
  - The form is renamed from “Child Abuse Summary Report” to “Child Abuse or Severe Neglect Indexing Form.”
  - The instructions in the top block are amended from “To be Completed by Investigating Child Protective Agency Pursuant to Penal Code Section 11169” to “Entire Form To Be Completed by Submitting Child Protective Agency Pursuant to Penal Code section 11169.” The statement “Shaded areas must be completed” is removed.
  - Boxes are added to the top block for “Report” and “Amended Report.” The parenthetical statement “Attach copy of original 8583 and complete Sections A, C and other applicable fields” is added to the Amended Report box.
  - **Section A is amended as follows:**
    - This section is renamed from “Investigating Agency” to “Submitting Agency.”
    - A.1 is amended from “Investigating Agency” to “Submitting Agency.”
    - A.5 is amended to remove “Title” of investigating party.
    - A.6 is amended from “Date Report Completed” to “Date of Report” and moved to amended Section B.
    - A.7 “Agency Cross–Reported To” is deleted.
    - A.8 “Person Cross–Reported To” is deleted.
    - A.9 “Date Cross Reported” is deleted.
- A.10 is amended from “Action Taken” to “Determination Made” and moved to amended Section B.2.
- A.10(1) narrative description of “Substantiated” is amended from “Abuse more likely than not to have occurred” to “Penal Code section 11165.12(b).”
- A.10(2) narrative description of “Inconclusive” is amended from “Insufficient evidence of abuse, not unfounded” to “Penal Code section 11165.12(c).”
- A.10.A is amended from “Supplemental Information” to “Amended Report Information” and moved to amended Section C.
- A.11 is entirely deleted, including “Active Investigation conducted,” “Victim contacted,” “Suspect contacted,” “No Suspects,” “Witness contacted” and “No witnesses.”
- A.12 “Comments” is moved to amended Section C.
- **Section B is amended as follows:**
  - B.1 “Date of Incident” is moved to amended Section B.3.
  - B.2 “Time of Incident” is deleted.
  - B.3 “Location of Incident” is deleted.
  - B.4 “Name of Party Reporting Incident” is deleted.
  - B.5 “Employer” is deleted.
  - B.6 “Telephone” is deleted.
  - B.7 “Type of Abuse” is entirely deleted from this area and moved to amended Section B.4. “Type of Abuse” categories are amended as follows: “Physical” to “Physical Injury”, “Mental” to “Mental/Emotional Suffering” and “Sexual” to “Sexual Abuse, Assault, Exploitation.” “General Neglect” is removed. “Willful Harming/Endangerment” and “Unlaw–ful Corporal Punishment or Injury” are added.
  - B.8 “If Abuse Occurred in Out–Of–Home Care, Check Type” is deleted.



- Existing Section C is renamed from “Involved Parties” to “Parties” and the whole section is moved to new Section D. See descriptions of new Section D below for additional changes to the “Parties” information.
  - Section C is renamed from “Involved Parties” to “Amended Report Information” and contains the following fields:
    - “Original Agency Report No/Case Name,” “Date of Incident” and “Type of Abuse.”
    - Types of amended reports, including: “Changed to Inconclusive,” “Changed to Substantiated,” “Now Unfounded,” “Added Additional Information,” “Corrected Report Information” and “Underlying Investigative File No Longer Available.”
  - Section D is newly added and includes information that was in previous Section C “Involved Parties.” Fields are amended as follows:
    - In the “Victims” section, “Address,” “Present Location of Victim” and “Telephone Number” are deleted. Also, the spaces allotted for victim information is amended from three to two victims.
    - In the “Suspects” section, “Other” is deleted from “Relationship to Victim.”
    - In the “Other” section, “Parent/Stepparent” and “Sibling” fields are deleted and space added to include information for two additional “Other” involved parties.
  - The noted authority is amended to reflect the above changes.
- 5. Section 902 is amended as follows:**
- This section is renamed from “Purpose of ACAS” to “Responsibilities of Agencies Submitting Reporting Form.”
  - Existing sentences one through three which described the purpose of CACI are reworded and moved to amended section 900 (Scope).
  - Existing sentences four and five which described submitting agency responsibility to obtain and review the underlying investigative report and make their own assessment are reworded and moved to section 903.
  - Subsections (a), (b), (c) and (d) are added.
  - Subsection (a) describes the responsibility to submit completed forms, information that has been reworded from sections 903(a)(2) and 904.
  - Subsection (b) is new language and describes the requirements for submitting amended reports to the DOJ.
  - Subsection (c) is new language and describes the requirements for record retention.
  - Subsection (d) includes information from section 908(a)(1)(A) regarding availability of the underlying reports and adds the requirement that the submitting agency shall immediately notify the DOJ if investigatory files are no longer retained. Removes the phrase “or if the submitting agency does not respond to the written notification within thirty days” which conforms to the DOJ decision not to confirm the existence of investigatory files.
  - The noted authority is amended to reflect the above changes.
- 6. Section 903 is amended as follows:**
- This section is renamed from “Standard Reporting Form for Reports of Child Abuse Maintained in ACAS” to “Entities Authorized to Access CACI Information May Not Make Determinations Based Solely on the CACI Listing.”
  - Existing section 903(a) which described the reporting form is reworded and moved to amended section 901(a). The description of when the form is used is amended from “to report investigative summaries of suspected incidents of child abuse and severe neglect. . .” to “to report instances of known or suspected child abuse or severe neglect. . .”
  - Existing section 903(a)(1) which described the requirement to use a current reporting form is deleted.
  - Existing section 903(a)(2) which described the mandatory fields on the reporting form is reworded and moved to amended section 902(a).
  - Existing sections 903(a)(2)(A)–(H) which described required fields on the reporting form are deleted.
  - Existing section 903(b) which introduced the reporting form is reworded and moved to amended section 901(b).
  - Added a paragraph describing the responsibilities of authorized entities regarding making decisions based on CACI information. This information was part of original section 902.

- The noted authority is amended to reflect the above changes.

**7. Section 904 is amended as follows:**

- This section is renamed from “DOJ Review and Verification of Submitted Summary Reports” to “DOJ Notification When a Submitting Agency Provides Names Identified in Existing CACI Entries.”
- The existing first paragraph, first sentence which described the DOJ’s process of reviewing submissions to determine that they meet the definitions of the regulations is deleted. The remainder of this paragraph is reworded and moved to amended section 902 (a).
- Subsections (a), (b) and (c) are added.
  - Subsection (a) relates to the DOJ notifying submitting agencies of possible matches upon receiving a report of child abuse or severe neglect (as previously described in existing sections 905, 905(a) and 905(b)). Additionally, new wording adds “determination made” to the information the DOJ returns in an agency response and adds the process of providing notification to prosecutors who request notification of subsequent CACI entries.
  - Subsection (b) relates to notifying prior submitting agencies of a subsequent match requiring retention of their investigative report for at least 10 years (as previously described in existing section 905(c)).
  - Subsection (c) describes the DOJ’s notification process and is reworded from section 905(d).
- The noted authority is amended to reflect the above changes.

**8. Section 905 is amended as follows:**

- This section is renamed from “DOJ Procedures for Notification When ACAS Shows Information Relevant to a Newly Received Report” to “Releasing CACI Information in Response to Inquiries From Authorized Entities.”
- The existing first paragraph and subsections (a) and (b) which described the DOJ processes for notification are reworded and moved to amended section 904(a).
- Existing section 905(c) which described the reporting agency’s record retention requirements is reworded and moved to amended section 904(b).

- Existing section 905(d) which described the DOJ process for notification is reworded and moved to amended section 904(c).
- Existing section 905(e) which defined the DOS processing time is deleted.
- Subsections (a) and (b) are added.
  - Subsection (a) which describes what information the DOJ will provide is reworded from section 907(a) with the following amendments: deletes the last sentence that defines the DOJ processing time; amends “an agency making an active investigation” to “an agency conducting an investigation.”
  - Subsection (b) which describes applicant background processing is reworded from section 907(b).
- The noted authority is amended to reflect the above changes.

**9. Section 906 is amended as follows:**

- This section is renamed from “DOJ Procedures for Processing Reports Submitted by Agencies with Different Investigative Determinations” to “Disclosure of CACI Information to Members of the Public.”
- The existing section, which describes the DOJ’s process for handling separate reports from different agencies on the same incident, is deleted.
- Subsection (a) is added and contains information from existing section 908(a)(2) which describes the self inquiry process; removes the language regarding the DOJ’s process of confirming the availability of the underlying report; and includes providing information regarding all record disseminations (both investigatory and non-criminal). Additionally, the automatic release of all related documents under the Information Practices Act is added.
- Subsection (b) is added as new language and describes the DOJ’s process for responding to specified victims’ requests to remove their information from CACI.
- Subsection (c) is added as new language and describes a person’s rights pursuant to the Information Practices Act.
- The noted authority is amended to reflect the above changes.

**10. Section 907 “ACAS Information Released in Response to Inquiries” is deleted, but information within this Section is amended as follows:**

- The existing first paragraph, which discusses confidentiality, is reworded and moved to amended section 905.
  - The existing first two sentences in section 907(a) which describe what information the DOJ will provide are reworded and moved to amended section 905(a). The last sentence in 907(a) which defines the DOJ response time is deleted.
  - Existing section 907(b) which describes the application process is reworded and moved to amended section 905(b).
  - Existing section 907(c) which describes TrustLine Registry processes is deleted.
  - The noted authority is amended to reflect the above changes.
- 11. Section 908 “Procedure for Confirmation of ACAS Information for Purposes of Peace Officer Employment, TrustLine Registry, Child Care Licensing or Employment, Adoption or Placement of Children, and for When a Private Citizen Inquires About His/Her Own Record” is deleted, but information within this Section is amended as follows:**
- Existing sections 908(a) and (a)(1) which described the DOJ confirmation process are deleted. Under the revised regulations, the original reporting agency is obligated to inform the DOJ if the investigatory file that resulted in the CACI listing under CANRA is no longer available or that an individual should be removed from the CACI.
  - Existing section 908(a)(1)(A) which described agency notification when files are not available is reworded and moved to amended section 902(d). This amendment makes the reporting agency responsible for immediately notifying the DOJ if their investigatory files are no longer available.
  - Existing section 908(a)(2), first sentence, described the DOJ confirmation process and is deleted. This amendment is consistent with other changes that remove the DOJ from the responsibility of confirming availability of investigatory files before responding to inquiries. As noted, under the revised regulations, the original reporting agency is obligated to inform the DOJ if the investigatory file that resulted in the CACI listing under CANRA is no longer available or that an individual should be removed from the CACI.
  - Existing section 908(a)(2), second half of the paragraph beginning with “DOJ staff will notify” described the DOJ’s process for notifying citizens of CACI searches and is reworded and moved to amended section 906(a)(1). This section is amended to include notification of disseminations for both investigative and noncriminal investigation purposes rather than disseminations for non–criminal investigations only.
  - Existing sections 908(a)(2)(A)–(a)(2)(B)(4) are deleted. These subsections deal with confirmation of underlying investigative reports and deleting them is consistent with other changes that remove the DOJ from the responsibility of confirming availability of investigatory files before responding to inquiries.
  - Existing section 908(b) describes the form letter used to request confirmation of information and is deleted. This change is consistent with the DOJ’s decision not to confirm the availability of investigatory files.
- 12. Existing section 909 “Notification in Response to Inquiries to ACAS Pertaining to Peace Officer Employment, TrustLine Registry, Child Care Licensing and Employment, Adoptions and Placement of Children” described the applicant process and is reworded and moved to amended section 905(b). The amended language deletes the DOJ’s process to notify individuals of the release of possible match information to an applicant agency and the process to confirm availability of the investigative file. The amended language also adds live scan as one method to submit requests.**
- 13. Existing section 910 “Audit Trail of Information Released from ACAS” is deleted.**
- 14. Existing section 911 “Processing of Record Sealing Orders” is deleted.**

#### PUBLIC HEARING DATES, TIME AND PLACE

No public hearing has been scheduled for the proposed regulatory action; however any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, a public hearing pursuant to the Administrative Procedures Act, Government Code section 11346.8.

#### WRITTEN COMMENT PERIOD

Any interested persons, or his or her authorized representative, may submit written comments relevant to the

proposed regulatory action to the contact person listed below. The written comment period closes on February 2, 2009, at 5 p.m. Only written comments received by that time shall be considered.

#### CONTACT PERSON

Any requests for or questions regarding the regulations package should be directed to:

Rebecca Mills  
California Department of Justice  
Division of California Justice Information Services  
Child Protection Program  
P.O. Box 903387  
Sacramento, CA 94203-3870

Telephone: (916) 227-3347

OR

Tina Lewis  
California Department of Justice  
Division of California Justice Information Services  
Child Protection Program  
P.O. Box 903387  
Sacramento, CA 94203-3870

Telephone: (916) 227-5050

#### IMPACT STATEMENTS

**Cost Impact on Local Agencies and School Districts:** The proposed amendments to existing regulations will not create a local mandate, will not have a significant impact on local agencies and school districts, which must be reimbursable in accordance with California Government Code, Part 7, commencing with section 17500 of Division 4. Local Child Protective Agencies are already required by PC sections 11169(a) and 11169(b) to follow the procedures covered by the proposed amendments.

**Non-Discretionary Costs or Savings:** The proposed amendments to existing regulations will not create any non-discretionary costs and will not generate any savings.

**Cost or Savings to State Agencies and Federal Funding to the State:** No additional costs or savings will be incurred by the Child Protection Program because these proposed regulations make only technical, non-substantive or clarifying changes to current regulations.

The proposed regulations will impact the State Department of Social Services, which maintains a comput-

erized version of the standard child abuse reporting form. No other state agencies will be impacted and there will not be any impact on any federal funding programs to the state.

**Business Impact:** The proposed amendments to existing regulations will have no significant, statewide adverse economic impact directly affecting businesses in California, including the ability of California businesses to compete with businesses in other states.

**Impact on Small Businesses, Private Persons, and Housing Costs:** The proposed amendments to existing regulations will have no significant economic impact on small businesses and private persons because these regulations affect only those individuals listed in the California Child Abuse Index as a result of meeting reporting requirements identified in PC section 11169, and will have no impact on housing costs. The DOJ is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**Assessment of Job/Business Creation, Elimination, or Expansion:** The adoption of the proposed amendments to existing regulations will not create or eliminate jobs in the State of California nor will it result in the elimination of existing businesses or create or expand businesses in the state.

#### CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the DOJ must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The DOJ invites interested persons to present statements or arguments with respect to alternatives to the proposed amendment to existing regulations during the written comment period.

#### AUTHORITY

PC section 11170(a) specifies that the DOJ may adopt rules governing child abuse recordkeeping and reporting.

#### REFERENCE

The regulatory action implements, interprets, and makes specific the Child Abuse and Neglect Reporting Act set forth in Penal Code sections 11164 et seq.



AVAILABILITY OF STATEMENT OF  
REASONS, PROPOSED REGULATIONS  
AND OTHER INFORMATION

The DOJ has prepared a statement of reasons for the proposed amendments to existing regulations and a listing of the exact regulations being proposed.

Copies of the exact language of the statement of reasons and of the text of the proposed amendments to existing regulations and any other information may be obtained from the DOJ contact person shown in this notice. Copies of the exact language of the statement of reasons and of the text of the proposed amendments to existing regulations may also be obtained through the Attorney General web site at [www.ag.ca.gov/childabuse/index.htm](http://www.ag.ca.gov/childabuse/index.htm).

With the exception of any non-substantive technical or grammatical changes, the full text of any amended proposal will be available for 15 days prior to its adoption to all persons who submit written comments during the public comment period, and all persons who request notification.

AVAILABILITY OF CHANGED  
OR AMENDED TEXT

After the DOJ analyzes all timely and relevant comments received during the comment period, the DOJ will either adopt the amendments to the existing regulations as described in this notice, or make modifications based on the comments. If the DOJ makes modifications which are sufficiently related to the original text of the proposed amendments to existing regulations, the amended text, with the changes clearly indicated, will be made available to the public for at least 15 days before the DOJ adopts the revised amendments to the existing regulations. The DOJ will accept written comments on the amended regulations for 15 days after the date on which they are made available.

AVAILABILITY OF FINAL  
STATEMENT OF REASONS

Once the Final Statement of Reasons has been prepared, it will be made available through the contact person shown in this notice.

**TITLE 14. DEPARTMENT OF  
CONSERVATION**

**December 19, 2008**

**NOTICE OF PROPOSED RULEMAKING**

**DEPARTMENT OF CONSERVATION  
DIVISION OF OIL, GAS, AND  
GEOTHERMAL RESOURCES**

**TITLE 14. Natural Resources  
Division 2  
Chapter 4  
Subchapter 4**

**NOTICE IS HEREBY GIVEN** that the Department of Conservation (Department), Division of Oil, Gas, and Geothermal Resources (Division), pursuant to the authority in Section 3712 of the Public Resources Code (PRC), proposes to adopt, amend, and repeal existing regulations in Title 14 of the California Code of Regulations (CCR) after considering all comments, objections, or recommendations regarding the proposed action.

**PROPOSED REGULATORY ACTION**

The Division proposes to amend Division 2, Chapter 4, Subchapter 4, starting with Section 1900, in Title 14 of the CCR. These sections pertain to statewide geothermal regulations.

**WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Division.

**The written comment period closes at  
5:00 p.m. on February 2, 2009.**

All comments must be received by that time at the Division office listed below. Comments received after 5:00 p.m. on January 19 may be reviewed, but the Division is not required to prepare a response.

**PUBLIC HEARING**

The Division does not at this time intend to conduct a public hearing, but shall do so if a request is received in writing no later than 15 days before the end of the 45-day comment period.

Submit comments to:

Michael Woods  
Department of Conservation  
Division of Oil, Gas, and Geothermal Resources  
605 Wake Avenue, Suite 7  
El Centro, CA 92243  
E-mail: [mwoods@consrv.ca.gov](mailto:mwoods@consrv.ca.gov)

## AUTHORITY AND REFERENCE

The Division proposes to implement, interpret, and make specific Sections 3700–3776 of the Public Resources Code (PRC) that gives authority to the State Oil and Gas Supervisor (Supervisor) to regulate geothermal wells. Section 3712 of the PRC provides that the Supervisor shall have all the powers that may be necessary, including the authority to adopt regulations, to supervise the drilling, operation, maintenance, and abandonment of geothermal resources wells. This supervision includes the permitting, surveillance, and utilization of methods and practices to prevent damage to life, health, property, and natural resources.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Revisions to existing regulations, repeal of several unnecessary or redundant regulations, and adoption of new regulations are proposed. Some of the proposed changes are substantive because of changes in technology or gaps in the existing regulations. However, some of the proposed changes simply clarify and correct regulatory text or re-organize sections for clarity.

Existing law requires the State Oil and Gas Supervisor to supervise the drilling, operation, maintenance, and abandonment of wells to prevent damage to life, health, property, and natural resources; damage to underground geothermal resources; loss of geothermal reservoir energy; and damage to underground and surface waters suitable for irrigation or domestic purposes by the infiltration of, or addition of, detrimental substances, by reason of the drilling, operation, maintenance, or abandonment of geothermal wells and facilities.

Observation wells are exempt from annual well fees. The new regulations will clarify wells that are used legitimately for observation purposes versus those that are simply non-productive wells an operator may classify as observation wells to avoid the assessment.

Current regulations do not require well and operator identification or spill contingency plans. These are significant omissions from current regulations. It is critically important that any spill or blowout be reported immediately to prevent loss to life, health and property, and that there be a plan for dealing with these contingencies.

CCR Section 3757 specifies that the surface location of a well may not be less than 100 feet from the outer boundary of the property that it is drilled on. However, no mention is made of where the producing interval of the well must be. A new regulation will specify this.

Current regulations require a minimum 50 foot overlap between the intermediate and production casings, and a positive pressure test to demonstrate integrity of the cement job. Current oil and gas regulations require a 100-foot overlap and a negative pressure test. The new regulation will not require a negative pressure test, but will increase the overlap requirement to 100 feet. The additional cost to drill a well is negligible and it is current industry practice to overlap casings by at least 100 feet.

It is proposed to add a new section to require a mud log for all high temperature geothermal wells. It is an almost universal practice today that lithological information is assembled in this format. Current regulations require that this information be provided to the Division on the appropriate form, which is now obsolete.

No regulations currently exist for restoring well sites and leases to their original states after geothermal operations have ceased. It has always been the Division's policy to require restoration. A new regulation adds this requirement.

The purpose of the Division's subsidence regulations is to prevent damage to property caused by ground subsidence due to the withdrawal of geothermal fluids from the ground. New technologies for detecting and measuring subsidence have been developed, and changes to the regulations allow these new technologies to be used. The current regulations deal with subsidence only in the Imperial Valley. The new regulations are not specific to the Imperial Valley.

Current abandonment regulations are a little bit vague and not well organized. The revised Article 8 makes no substantive changes but reorganizes the requirements to make them clearer and more specific.

Finally, most sections of the geothermal regulations use section 3714 as the establishing authority. Section 3714, in part, requires the Supervisor to supervise the drilling, operation, maintenance and abandonment of geothermal resources wells. It is Section 3712 that actually gives the Director of the Department of Conservation and the Supervisor authority to create regulations. The proposed changes make Section 3712 the authority in all sections of these regulations.

## DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: *None*  
Cost or savings to any state agency: *None*

Cost to any local agency or school district that must be reimbursed in accordance with Government Code section 17561: *None*

Other nondiscretionary cost or savings imposed upon local agencies: *None*

Cost or savings in federal funding to the state: *None*

Cost impact on private persons or directly affected businesses: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. *None*

Effect on small business: *None*

Significant effect on housing costs: *None*

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: *None*

#### IMPACT ON CALIFORNIA JOBS/BUSINESSES

The adoption of the proposed regulations and proposed amendments to the regulations will neither create nor eliminate jobs in the State of California, nor result in the elimination of existing businesses or create or expand businesses in the State of California.

#### CONFLICT WITH CODE OF FEDERAL REGULATIONS

The adoption of the proposed regulations and proposed amendments to the regulations will not duplicate nor conflict with any federal regulations contained in the Code of Federal Regulations.

#### SMALL BUSINESS IMPACT

The proposed regulations will have no significant adverse economic impact on small business because they will have no economic impact on any business. Those few changes to the regulations which will have a very minor negative economic impact are balanced by those which will have a positive impact. Most of the changes are for the purpose of clarity and consistency, or merely codify current Division policies.

#### CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Division must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The Division invites interested persons to present statements or arguments with respect to the proposed regulations or alternatives during the written comment

period or at any scheduled public hearing, if there is one.

#### CONTACT PERSON

Inquiries concerning the substance of the proposed action may be directed to:

Michael Woods  
Department of Conservation  
Division of Oil, Gas, and Geothermal Resources  
605 Wake Avenue, Suite 7  
El Centro, CA 92243  
E-mail: mwoods@constrv.ca.gov  
Telephone (760) 353-9900  
Fax (760) 353-9594

Elizabeth Johnson (backup)  
Department of Conservation  
Division of Oil, Gas, and Geothermal Resources  
801 K Street, MS 20-20  
Sacramento, CA 95814  
E-mail: ljohnson@constrv.ca.gov  
Telephone (916) 323-1786  
Fax (916) 323-0424

#### REQUESTS FOR DOCUMENTS AND ADDITIONAL INFORMATION

Requests for copies of the proposed text of the regulations, the initial statement of reasons, and questions concerning the proposed adoption of these regulations should be directed to:

Michael Woods  
Department of Conservation  
Division of Oil, Gas, and Geothermal Resources  
605 Wake Avenue, Suite 7  
El Centro, CA 92243  
E-mail: mwoods@constrv.ca.gov  
Telephone (760) 353-9900  
Fax (760) 353-9594

#### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Division will have the entire rulemaking file available for inspection and copying throughout the rulemaking process on its website ([www.conservation.ca.gov](http://www.conservation.ca.gov)) and at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. A copy of the Final Statement of Reasons will be available once it has been prepared. Copies may be obtained by

contacting the Division at the address or phone number listed above.

#### **AVAILABILITY OF CHANGED OR MODIFIED TEXT**

Following the public review period and the hearing, the Division may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the original proposed text, the modified text will be made available to the public for at least 15 days prior to the date on which the Division adopts the regulations. Requests for the modified regulations, if any, can be made by contacting the Division at the address and phone number listed above. The Division will accept written comments on the modified text for 15 days after the date on which they are made available.

#### **FINAL STATEMENT OF REASONS**

Following the public review period, the Division will have the Final Statement of Reasons available for the public on its website ([www.conservation.ca.gov](http://www.conservation.ca.gov)) and at its office at the above address. Copies may be obtained by contacting the Division at the address or phone number listed above.

### **TITLE 14. DEPARTMENT OF FISH AND GAME**

#### **STATE OF CALIFORNIA NOTICE BY THE DEPARTMENT OF FISH AND GAME TO CONSIDER THE ADOPTION OF AMENDMENTS TO EXISTING REGULATIONS**

December 9, 2008

NOTICE IS HEREBY GIVEN that the Department of Fish and Game (Department) proposes to amend existing regulations pertaining to the collection of California Environmental Quality Act (CEQA) filing fees and the determination of no effect on fish and wildlife under Fish and Game Code section 711.4.

#### **PROPOSED REGULATORY ACTION**

The Department proposes to amend the following section of title 14, division 1, subdivision 3, of the California Code of Regulations:

Chapter 4, Article 1, Section 753.5. Collection of Filing Fees.

The following public notice contains the requisite information identified in Government Code section 11346.5(a) subsections (1) through (20). The numbered headings below address each requirement of the corresponding subsection of Government Code section 11346.5(a).

#### **1) PUBLIC HEARING**

The Department will conduct one public hearing to receive comments, objections, and recommendations regarding this proposed regulatory action. The hearing will be held:

Monday, February 2, 2009, 10:00 a.m. to 12:00 p.m.  
Resources Building Auditorium  
1416 9th Street  
Sacramento, CA 95814

#### **2) REFERENCE TO AUTHORITY**

This regulatory amendment is proposed under the authority of the Department and Fish and Game Code sections 711.4 and 702. This regulation implements, interprets, or makes specific Fish and Game Code section 711.4.

#### **3) INFORMATIVE DIGEST/PLAIN ENGLISH POLICY STATEMENT OVERVIEW**

A) Existing law requires the Department to impose and collect a filing fee on projects subject to CEQA. The filing fees are collected to defray the cost of managing and protecting California's fish and wildlife resources. On September 29, 2006, Senate Bill 1535 was signed into law increasing filing fees collected by the Department, and requiring the Department to adjust filing fees annually pursuant to Fish and Game Code section 713. Senate Bill 1535 eliminates the former fee exemption for projects with a de minimis effect on fish and wildlife as determined by the lead agency. The new law requires that a project have no effect on fish and wildlife to be eligible for the fee exemption. These changes became effective on January 1, 2007. Existing regulations within title 14, section 753.5 of the California Code of Regulations still contain the de minimis exemption and not the current no effect exemption stated in Fish and Game Code section 711.4(c)(2)(A). Since January 1, 2007, all no effect determinations have been made by the Department. The current language of section 753.5 does not conform with Fish and Game Code section 711.4 or current Department practice.

The proposed amendments to section 753.5 would make the regulations conform with Fish and Game



Code section 711.4 and current Department practice. The proposed amendments would clarify that the Department determines if a project will have no effect on fish and wildlife. The proposed amendments would also clarify the procedures for no effect determinations. The proposed amendments remove obsolete regulatory language which states that de minimis determinations are made by the lead agency, and replace it with the procedure and criteria the Department currently uses to determine if a project has no effect on fish and wildlife pursuant to Fish and Game Code section 711.4(c)(2)(A). The proposed amendments gives guidance on how the Department will determine whether a project will have no effect on fish and wildlife, and lists factors that could lead to a no effect determination.

The proposed amendments include the Fish and Game Code section 711.4 requirement to adjust filing fees annually. The proposed amendments add language regarding the collection of filing fees for projects subject to a certified regulatory program and projects with a state lead agency and add language clarifying the parties responsible for the payment of fees. The proposed amendments would state that a private entity or special district shall be considered to be the applicant and be required to remit the fee when a state land use authority grants a license, permit, or entitlement to that private entity or special district. The proposed amendments clarify the situations where payment of more than one filing fee may be required due to preparation of separate environmental documents pursuant to Fish and Game Code section 711.4(g). A list of separate environmental documents is included in the amendments.

The proposed amendments clarify the existing requirement that environmental filing fee cash receipts generated by counties be approved by the Department prior to use and provide a procedure for counties to obtain that approval. The proposed amendments include minor editorial changes to correct errors, improve clarity, reduce redundancy, and replace outdated terminology. References are updated to reflect recent amendments to the California Code of Regulations.

B) There is no existing comparable federal law or regulation, therefore the Department's proposed amendments do not duplicate an existing federal law or regulation.

C) The objective of the proposed amendments is to update and clarify the regulations so that they conform with existing law (Fish and Game Code section 711.4), reflect current Department practice, and clarify the procedures for no effect determinations.

#### 4) OTHER MATTERS PRESCRIBED BY STATUTE

None.

#### 5) MANDATES ON LOCAL AGENCIES AND SCHOOL DISTRICTS

Adoption of the proposed amendments will not impose a mandate on local agencies or school districts, and will therefore not require any state reimbursement pursuant to Part 7 (commencing with section 17500) of Division 4, Government Code.

#### 6) COSTS OR SAVINGS TO STATE OR LOCAL AGENCIES

The proposed amendments would update title 14 regulations, and would not result in any additional costs or savings to any state agency, any local agency or school district, any cost or savings in federal funding to the state, or any nondiscretionary cost or savings imposed upon local agencies.

#### 7-8) IMPACTS ON BUSINESS

Adoption of the proposed amendments is not expected to result in a change in business practice. The number of projects requiring the payment of environmental filing fees will be unaffected by the proposed amendments to title 14, section 753.5. Therefore, the Department has determined that the proposed amendments will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. In making this declaration, the Department has provided in the record all facts, evidence, documents, testimony and other evidence upon which the Department relied upon.

The Department has determined that the proposed amendments will not affect small business. The proposed amendments will not affect small business because the number of projects requiring the payment of environmental filing fees will be unaffected by the proposed amendments.

#### 9) COST IMPACT ON PRIVATE PERSONS AND BUSINESSES

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### 10) IMPACTS ON JOBS

Adoption of the proposed amendments will not affect the creation or elimination of jobs within California, the creation of new businesses or the elimination of existing businesses within California, or the expansion of businesses currently doing business within California.

**11) BUSINESS REPORTING**

Adoption of the proposed amendments will not require a report.

**12) SIGNIFICANT EFFECTS ON  
HOUSING COSTS**

Adoption of the proposed amendments will not have any effect on housing costs.

**13) CONSIDERATION OF ALTERNATIVES**

No reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

**14) DEPARTMENT REPRESENTATIVE**

Inquiries concerning the proposed regulatory action may be directed to Kathleen Perry at (916) 651-1280, or Jeb Bjerke at (916) 651-3122.

**15) WRITTEN COMMENT PERIOD**

Any interested person may submit written comments relevant to the proposed regulation amendments. Written comments must be received no later than 5:00 p.m. on February 2, 2009 in order for the Department to consider them before adopting the proposed amendment.

Please send or deliver any written comments to:

Kathleen Perry  
Department of Fish and Game  
1416 Ninth Street, Suite 1260  
Sacramento, California 95814

**16) AVAILABILITY OF STATEMENT  
OF REASONS AND TEXT OF  
PROPOSED REGULATIONS**

The Department has prepared an Initial Statement of Reasons providing an explanation of the purpose, background, and justification for adoption of the proposed amendments to the regulations and an Economic and Fiscal Impact Statement (STD. 399). The statement and any documents upon which the Department's proposed

amendments are based are available upon request from the Department's contact person Kathleen Perry at (916) 651-1280, or Jeb Bjerke at (916) 651-3122. A copy of the express terms of the proposed amendments to the regulations, as well as any other information in the Department's rulemaking file, is also available from the Department's contact person and on the Department's website at [www.dfg.ca.gov](http://www.dfg.ca.gov). A copy of the Department's final statement of reasons, once it has been prepared, will also be available from the Department's contact person and the Department's website.

**17) REQUEST FOR A PUBLIC HEARING**

If no public hearing were scheduled, any interested person would be able to request a public hearing no later than 15 days prior to the close of the public comment period. However, the Department has scheduled a public hearing to be conducted on Monday, February 2, 2009 from 10:00 a.m. to 12:00 p.m. in the Resources Building Auditorium at 1416 9th Street, Sacramento, CA 95814.

**18) AVAILABILITY OF THE PROPOSED TEXT**

The full text of the proposed regulation amendments pursuant to Government Code section 11346.8 is available from the Department's contact person and on the Department's website as is explained in subsection 16 above. The full text of a regulation changed pursuant to Government Code section 11346.8 will be made available for at least 15 days prior to the date on which the Department amends the resulting regulation unless the change is nonsubstantial, solely grammatical in nature, or sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action.

**19) AVAILABILITY OF THE FINAL  
STATEMENT OF REASONS**

A copy of the Department's final statement of reasons, once it has been prepared, will be available from the Department's contact person and on the Department's website at [www.dfg.ca.gov](http://www.dfg.ca.gov).

**20) INTERNET AVAILABILITY**

The express terms of the proposed amendments to the regulations, as well as the other information in the Department's rulemaking file, are available on the Department's website at [www.dfg.ca.gov](http://www.dfg.ca.gov).

## TITLE 14. FISH AND GAME COMMISSION

### Notice of Proposed Changes in Regulations

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 2070 and 2075.5 of the Fish and Game Code and to implement, interpret or make specific sections 1755, 2055, 2062, 2067, 2070, 2072.7, 2075.5 and 2077 of said Code, proposes to amend Section 670.5, Title 14, California Code of Regulations, relating to Animals of California Declared to be Endangered or Threatened.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department of Fish and Game recommends that the Commission amend Subsection (a)(5) of Section 670.5 of Title 14, CCR, to delete the California Brown Pelican (*Pelecanus occidentalis californicus*) from the list of endangered birds.

In making the recommendation to delist the brown pelican pursuant to CESA, the Department relied most heavily on the following: 1) The breeding population size of the brown pelican in the Channel Islands has increased from 1969 to the present, after the banning of DDT, and now exceeds the five-year mean 3,000 pair standard noted in the recovery plan (current Channel Islands population size for 2006 is roughly 8,500 breeding pairs); 2) Brown pelicans have gradually expanded their nesting sites in the Channel Islands to former breeding sites, and numbers on Santa Barbara Island have increased substantially since 2001; 3) Productivity has increased to 0.7 and now meets or exceeds the five-year mean 0.7 standard noted in the recovery plan for downlisting; 4) Relative to the five-year mean standard for fledged young in the recovery plan, brown pelicans at West Anacapa Island have achieved the 2,700 fledgling standard for delisting 9 times from 1997–2005; 5) In spite of known threats (*i.e.*, oil spills, human disturbance, starvation events, domoic acid poisoning, fish hook/line mortality), the breeding population of brown pelicans in California has increased substantially; and 6) nesting sites are under generally-protective NPS ownership or management. If delisted, the brown pelican will remain a fully protected species under Fish and Game Code section 3511(b)(2).

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the East End Complex, 1500 Capitol Mall, Sacramento, California, on February 6, 2009, at 8:30 a.m., or as soon thereafter

as the matter may be heard. It is requested, but not required, that written comments be submitted on or before January 23, 2009, at the address given below, or by fax at (916) 653–5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on February 3, 2009. All comments must be received no later than February 6, 2009, at the hearing in Sacramento, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~–underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244–2090, phone (916) 653–4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Sheri Tiemann at the preceding address or phone number. **Esther Burkett, Department of Fish and Game, phone (916) 445–3764, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

### Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

### Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Although the statutes of the California Endangered Species Act (CESA) do not specifically prohibit the consideration of economic impact in determining if listing is warranted, the Attorney General's Office has consistently advised the Commission that it should not consider economic impact in making a finding on listing. This is founded in the concept that CESA was drafted in the image of the federal Endangered Species Act. The federal act specifically prohibits consideration of economic impact during the listing or delisting process.

CESA is basically a two-stage process. During the first stage, the Commission must make a finding on whether or not the petitioned action is warranted. By statute, once the Commission has made a finding that the petitioned action is warranted, it must initiate a rulemaking process to make a corresponding regulatory change. To accomplish this second stage, the Commission follows the statutes of the Administrative Procedure Act (APA).

The provisions of the APA, specifically sections 11346.3 and 11346.5 of the Government Code, require an analysis of the economic impact of the proposed regulatory action. While Section 11346.3 requires an analysis of economic impact on businesses and private persons, it also contains a subdivision (a) which provides that agencies shall satisfy economic assessment requirements only to the extent that the requirements do not conflict with other state laws. In this regard, the provisions of CESA leading to a finding are in apparent conflict with Section 11346.3, which is activated by the rulemaking component of CESA.

Since the finding portion of CESA is silent to consideration of economic impact, it is possible that subdivision (a) of Section 11346.3 does not exclude the requirement for economic impact analysis. While the Commission does not believe this is the case, an abbreviated analysis of the likely economic impact of the proposed regulation change on businesses and private individuals is provided. The intent of this analysis is to provide disclosure, the basic premise of the APA process. The Commission believes that this analysis fully meets the intent and language of both statutory programs.

Delisting of the brown pelican will remove the subspecies from the provisions of CESA. However, this delisting action is not expected to result in any significant adverse economic effect on small business or significant cost to private persons or entities undertaking activities subject to CEQA because the brown pelican will remain protected under additional provisions as described below.

- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business:  
The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Delisting the brown pelican will not result in any significant cost to private persons or businesses undertaking activities subject to CEQA and may result in a cost savings to such persons and businesses.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

#### Effect on Small Business

It has been determined that the adoption of these regulations may affect small business.

#### Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.



# TITLE 17. CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE

## NOTICE OF PROPOSED REGULATION ADOPTION AND REPEAL

### California Code of Regulations Title 17. — Public Health Division 4 — California Institute For Regenerative Medicine Chapter 6

**Date:** December 19, 2008

**Deadline for Submission of Written Comment:**  
February 2, 2009 — 5:00 p.m.

**Hearing Date:** None scheduled.

**Subject Matter of Proposed Amendments:**  
Intellectual Property and Revenue Sharing  
Requirements for Non-Profit and For-Profit  
Grantees

#### Sections Affected:

The proposed regulations adopt Chapter 6 of Title 17 of the California Code of Regulations, and sections 100600, 100601, 100602, 100603, 100604, 100605, 100606, 100607, 100608, 100609, 100610 and 100611.

Repeal Title 17 of the California Code of Regulations, sections 100300, 100301, 100302, 100303, 100304, 100305, 100306, 100308, 100309, 100310, 100400, 100401, 100402, 100403, 100404, 100405, 100406, 100407, 100408, 100409 and 100410.

**Authority:** Article XXXV of the California Constitution and Health and Safety Code section 125290.40, subdivision (j).

**Reference:** Sections 125290.30, 125290.40, 125290.55, 125300, Health and Safety Code.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The California Institute for Regenerative Medicine (“Institute” or “CIRM”) was established in early 2005 with the passage of Proposition 71 (the “Act”), the California Stem Cell Research and Cures Initiative. The statewide ballot measure, which provides \$3 billion in funding for stem cell research and dedicated facilities at California universities and research institutions, was approved by California voters on November 2, 2004, called for the establishment of a new state agency to make grants and provide loans for stem cell research, research facilities and other vital research opportunities.

The Independent Citizens’ Oversight Committee (“ICOC”) is the 29-member governing board for the Institute. The ICOC members are public officials, appointed on the basis of their experience earned in California’s leading public universities, non-profit academic and research institutions, patient advocacy groups and the biotechnology industry.

The mission of the CIRM is to foster and promote stem cell research with the aim of improving human health. A secondary goal is to strengthen California’s biotechnology industry and create collateral economic benefits such as high-paying jobs and increased tax revenues. CIRM believes that the funding of commercial research organizations focused on stem cell-related projects is a key component to achieving the overall mission of the Institute. Increased interest by the commercial research sector in stem cell-related research projects and the successful translation of basic research discoveries into commercial products for public use are primary success indicators (among others) that can be used by CIRM to track benefits of commercial sector funding.

Public-private partnerships involving research and development activities among industry, government, and universities can play an instrumental role in introducing key new technologies and valuable products to the commercial marketplace. Experience shows that partnerships involving government participation in research and development activities with industry, universities, and government laboratories can greatly facilitate the translation of basic research discoveries to products with societal benefits.

The proposed regulatory action consolidates the existing regulatory framework that consists of different schemes for non-profit versus for-profit grantees. As stem cell research moves toward the clinic and structures for research proposed by grantees become more complicated, the need to clarify existing regulations has become apparent. For instance, collaborations between and among both non- and for-profit sectors suggest that a single set of regulations will be more user-friendly for our grantees and easier for CIRM to administer. The goal of the consolidation project of existing separate regulations governing non- and for-profit organizations is to harmonize the two into a single set of regulations and better provide greater definition to the scope and application of the policies themselves.

The core principles of the CIRM intellectual property regulations for non-profit and for-profit organizations are unchanged:

1. **Ownership:** CIRM grantees will own intellectual property that arises from CIRM-funded research activities.

2. **Broad Sharing:** Intellectual property, including but not limited to data, knowledge, scientific articles, biomedical materials and patented inventions, that are made in the performance of CIRM-funded research will be shared broadly and promptly with the scientific community. This CIRM sharing policy is structured to extend the sharing of CIRM-funded intellectual property beyond practices commonly in use by the scientific community in 2006.
3. **Licensing:** For patented inventions that are made in the performance of CIRM-funded research, grantee organizations are expected to negotiate non-exclusive licensing agreements where possible except in those circumstances when exclusivity is required to encourage the successful commercial development of the invention into products and services that can benefit the public. In addition, CIRM has established licensing policies regarding access to resultant therapies and revenue-sharing.
4. **March-in rights:** Like other funding agencies, CIRM maintains a licensing provision referred to as march-in rights, the purpose of which is to prevent the underutilization of CIRM-funded inventions.

**Technical, Theoretical or Empirical Studies, Reports or Documents:**

None.

**Submittal of Comments:**

Any interested party may present comments in writing about the proposed action to the agency contact person named in this notice. Written comments must be received no later than 5:00 p.m. on February 2, 2009. Comments regarding this proposed action may also be transmitted via e-mail to [ipregs@cirm.ca.gov](mailto:ipregs@cirm.ca.gov) or by facsimile transmission to (415) 396-9141.

At this time, no public hearing has been scheduled concerning the proposed regulations. If any interested person or the person's representative requests a public hearing, he or she must do so in writing no later than January 19, 2009.

**Effect on Small Business:**

CIRM has determined that the proposed regulatory action has no impact on small businesses. The regulations implement conditions on awarding grants for stem cell research. This research is conducted almost exclusively by large public and private nonprofit institutions, as well as large for-profit institutions. As such, the regulations are not expected to adversely impact small business as defined in Government Code section 11342.610.

**Impact on Local Agencies or School Districts:**

CIRM has determined that the proposed regulatory action does not impose a mandate on local agencies or school districts, nor does it require reimbursement by the state pursuant to Part 7 (commencing with section 17500) of Division 4 of the Government Code because the regulatory action does not constitute a "new program or higher level of service of an existing program" within the meaning of section 6 of Article XIII of the California Constitution. CIRM has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed regulatory action.

**Costs or Savings to State Agencies:**

CIRM has determined that no savings or increased costs to any agency will result from the proposed regulatory action.

**Effect on Federal Funding to the State:**

CIRM has determined that no costs or savings in federal funding to the state will result from the proposed regulatory action.

**Effect on Housing Costs:**

CIRM has made an initial determination that the proposed action will have no effect on housing costs.

**Significant Statewide Adverse Economic Impact Directly Affecting Businesses:**

CIRM has made an initial determination that adoption of this regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California Businesses to compete with businesses in other states.

**Cost Impacts on Representative Private Persons or Businesses:**

CIRM has made an initial determination that the adoption of these regulations will not have a significant cost impact on representative private persons or businesses. The CIRM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**Impact on the Creation, Elimination, or Expansion of Jobs:**

CIRM has determined it is unlikely the proposed regulatory action will impact the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business within the State of California.

**Consideration of Alternatives:**

CIRM must determine that no reasonable alternatives considered by the agency, or that have otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed or would be as effective

and less burdensome to affected private persons or businesses than the regulatory action.

**Availability of Statement of Reasons and Text of Proposed Regulations:**

CIRM has prepared an Initial Statement of Reasons, and has available the express terms of the proposed action, all of the information upon which the proposal is based, and a rulemaking file. A copy of the Initial Statement of Reasons and the proposed text of the regulation may be obtained from the agency contact person named in this notice. The information upon which CIRM relied in preparing this proposal and the rulemaking file are available for review at the address specified below.

**Availability of Changed or Modified Text:**

After the close of the comment period, CIRM may make the regulations permanent if they remain substantially the same as described in the Policy Statement Overview. If CIRM does make changes to the regulation, the modified text will be made available for at least 15 days prior to adoption. Requests for the modified text should be addressed to the agency contact person named in this notice. CIRM will accept written comments on any changes for 15 days after the modified text is made available.

**Agency Contact:**

Written comments about the proposed regulatory action; requests for a copy of the Initial Statements of Reasons, the proposed text of the regulation, and a public hearing; inquiries regarding the rulemaking file; and questions on the substance of the proposed regulatory action may be directed to:

C. Scott Tocher, Counsel to the Chair  
California Institute for Regenerative Medicine  
210 King Street  
San Francisco, CA 94107  
(415) 396-9100

These questions may also be addressed to:

Nancy Koch, Counsel  
California Institute for Regenerative Medicine  
(415) 396-9100

The Notice of Proposed Regulatory Adoption, the Initial Statement of Reasons and any attachments, and the proposed text of the regulations are also available on CIRM's website, [www.cirm.ca.gov](http://www.cirm.ca.gov).

**Availability of Final Statement of Reasons:**

Following its preparation, a copy of the Final Statement of Reasons mandated by Government Code section 11346.9, subdivision (a), may be obtained from the contact person named above.

**GENERAL PUBLIC INTEREST**

**AIR RESOURCES BOARD**

**NOTICE OF POSTPONEMENT**

**NOTICE OF PUBLIC HEARING TO  
CONSIDER REGULATIONS FOR GASOLINE  
DISPENSING FACILITY HOSES**

BY NOTICE dated October 14, 2008, and published in the October 24, 2008, California Notice Register, Register 2008, No. 43-Z, the Air Resources Board (the Board or ARB) announced it would conduct a public hearing to consider amendments to regulations and certification procedure, and adoption of test procedures for gasoline dispensing facility hoses. The hearing was scheduled for December 11, 2008, at 9:00 a.m., and then postponed to January 22, 2009. The hearing has been further postponed.

**PLEASE BE ADVISED** that the hearing has been postponed to the following date:

**DATE: February 26, 2009**

**TIME: 9:00 a.m.**

**PLACE:** California Environmental Protection  
Agency  
Byron Sher Auditorium, Second Floor  
1001 I Street  
Sacramento, California 95814

This item will be considered at a two-day meeting of the Board, which will commence at 9:00 a.m., February 26, 2009, and may continue at 8:30 a.m., February 27, 2009. This item may not be considered until February 27, 2009. Please consult the agenda for the meeting, which will be available at least ten days before February 26, 2009, to determine the day on which this item will be considered.

For individuals with sensory disabilities, this document and other related material can be made available in Braille, large print, audiocassette, or computer disk. For assistance, please contact ARB's Reasonable Accommodations/Disability Coordinator at (916) 323-4916 by voice, or through the California Relay Services at 711, to place your request for disability services, or go to <http://www.arb.ca.gov/html/ada/ada.htm>.

If you are a person with limited English and would like to request interpreter services to be available at the Board meeting, please contact ARB's Bilingual Manager at (916) 323-7053.

## AIR RESOURCES BOARD

### NOTICE OF POSTPONEMENT

#### NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED CALIFORNIA EVALUATION PROCEDURES FOR AFTERMARKET CRITICAL EMISSION CONTROL PARTS ON HIGHWAY MOTORCYCLES

BY NOTICE dated October 14, 2008, and published in the October 24, 2008, California Notice Register, Register 2008, No. 43-Z, the Air Resources Board (the Board or ARB) announced it would conduct a public hearing to consider the adoption of new California evaluation procedures for aftermarket critical emission control parts on highway motorcycles. The hearing was scheduled for December 11, 2008, at 9:00 a.m.

**PLEASE BE ADVISED** that the hearing has been postponed to the following date:

DATE: **January 22, 2009**

TIME: 9:00 a.m.

PLACE: California Environmental Protection  
Agency  
Byron Sher Auditorium, Second Floor  
1001 I Street  
Sacramento, California 95814

This item will be considered at a two-day meeting of the Board, which will commence at 9:00 a.m., January 22, 2009, and may continue at 8:30 a.m., January 23, 2009. This item may not be considered until January 23, 2009. Please consult the agenda for the meeting, which will be available at least ten days before January 22, 2009, to determine the day on which this item will be considered.

For individuals with sensory disabilities, this document and other related material can be made available in Braille, large print, audiocassette, or computer disk. For assistance, please contact ARB's Reasonable Accommodations/Disability Coordinator at (916) 323-4916 by voice, or through the California Relay Services at

711, to place your request for disability services, or go to <http://www.arb.ca.gov/html/ada/ada.htm>.

If you are a person with limited English and would like to request interpreter services to be available at the Board meeting, please contact ARB's Bilingual Manager at (916) 323-7053.

## DEPARTMENT OF FISH AND GAME

### Department of Fish and Game —

#### Public Interest Notice

For Publication December 19, 2008

CESA CONSISTENCY DETERMINATION FOR  
Galstain Family Trust Canyon Estates Project  
San Bernardino County  
2080-2008-028-06

The Department of Fish and Game (Department) received notice on December 5, 2008, that the Galstain Family Trust proposes to rely on consultation between federal agencies to carry out a project that may adversely affect species protected by the California Endangered Species Act (CESA). This project consists of the construction of 59 residential units on 72 acres, and the grading and filling in of approximately 0.23-acre of waters in San Bernardino County (Project). Grading and grubbing activities will permanently remove 2.35 acres of habitat suitable for least Bell's vireo (*Vireo bellii pusillus*).

The U.S. Fish and Wildlife Service (Service), on December 28, 2004, issued a "no jeopardy" federal biological opinion (BO)(FWS-SB-08B0076-08F0061) and incidental take statement (ITS) to the U.S. Army Corps of Engineers (Corps), which considers the federally and state endangered least Bell's vireo and authorizes incidental take.

Pursuant to California Fish and Game Code Section 2080.1, the Galstain Family Trust is requesting a determination that the BO is consistent with CESA. If the Department determines that the BO is consistent with CESA, the Galstain Family Trust will not be required to obtain an incidental take permit under CESA (Fish and Game Code Section 2081(b)) for the proposed project.



**PROPOSITION 65****OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF ENVIRONMENTAL HEALTH  
HAZARD ASSESSMENT  
SAFE DRINKING WATER AND TOXIC  
ENFORCEMENT ACT OF 1986

CHEMICALS KNOWN TO THE  
STATE TO CAUSE CANCER OR  
REPRODUCTIVE TOXICITY  
DECEMBER 19, 2008

The Safe Drinking Water and Toxic Enforcement Act  
of 1986 requires that the Governor revise and republish

at least once per year the list of chemicals known to the State to cause cancer or reproductive toxicity. The identification number indicated in the following list is the Chemical Abstracts Service (CAS) Registry Number. No CAS number is given when several substances are presented as a single listing. The date refers to the initial appearance of the chemical on the list. For easy reference, chemicals which are shown underlined are newly added. Chemicals which are shown with a strikeout were placed on the list with the date noted, and have subsequently been removed.

**CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER**

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
A-alpha-C (2-Amino-9H-pyrido[2,3-b]indole)	26148-68-5	January 1, 1990
Acetaldehyde	75-07-0	April 1, 1988
Acetamide	60-35-5	January 1, 1990
Acetochlor	34256-82-1	January 1, 1989
2-Acetylaminofluorene	53-96-3	July 1, 1987
Acifluorfen sodium	62476-59-9	January 1, 1990
Acrylamide	79-06-1	January 1, 1990
Acrylonitrile	107-13-1	July 1, 1987
Actinomycin D	50-76-0	October 1, 1989
AF-2;[2-(2-furyl)-3-(5-nitro-2-furyl)]acrylamide	3688-53-7	July 1, 1987
Aflatoxins	—	January 1, 1988
Alachlor	15972-60-8	January 1, 1989
Alcoholic beverages, when associated with alcohol abuse	—	July 1, 1988
Aldrin	309-00-2	July 1, 1988
<u>Allyl chloride</u> <u>Delisted October 29, 1999</u>	<u>107-05-1</u>	<u>January 1, 1990</u>
2-Aminoanthraquinone	117-79-3	October 1, 1989
p-Aminoazobenzene	60-09-3	January 1, 1990
ortho-Aminoazotoluene	97-56-3	July 1, 1987
4-Aminobiphenyl (4-aminodiphenyl)	92-67-1	February 27, 1987
1-Amino-2,4-dibromoanthraquinone	81-49-2	August 26, 1997
3-Amino-9-ethylcarbazole hydrochloride	6109-97-3	July 1, 1989
2-Aminofluorene	153-78-6	January 29, 1999
1-Amino-2-methylantraquinone	82-28-0	October 1, 1989
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	712-68-5	July 1, 1987
4-Amino-2-nitrophenol	119-34-6	January 29, 1999
Amitrole	61-82-5	July 1, 1987
Analgesic mixtures containing phenacetin	—	February 27, 1987
Aniline	62-53-3	January 1, 1990
Aniline hydrochloride	142-04-1	May 15, 1998
ortho-Anisidine	90-04-0	July 1, 1987
ortho-Anisidine hydrochloride	134-29-2	July 1, 1987

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
Antimony oxide (Antimony trioxide)	1309-64-4	October 1, 1990
Anthraquinone	84-65-1	September 28, 2007
Aramite	140-57-8	July 1, 1987
Areca nut	—	February 3, 2006
Aristolochic acids	—	July 9, 2004
Arsenic (inorganic arsenic compounds)	—	February 27, 1987
Asbestos	1332-21-4	February 27, 1987
Auramine	492-80-8	July 1, 1987
Azacitidine	320-67-2	January 1, 1992
Azaserine	115-02-6	July 1, 1987
Azathioprine	446-86-6	February 27, 1987
Azobenzene	103-33-3	January 1, 1990
Benthiavalicarb-isopropyl	177406-68-7	July 1, 2008
Benz[a]anthracene	56-55-3	July 1, 1987
Benzene	71-43-2	February 27, 1987
Benzidine [and its salts]	92-87-5	February 27, 1987
Benzidine-based dyes	—	October 1, 1992
Benzo[b]fluoranthene	205-99-2	July 1, 1987
Benzo[j]fluoranthene	205-82-3	July 1, 1987
Benzo[k]fluoranthene	207-08-9	July 1, 1987
Benzofuran	271-89-6	October 1, 1990
Benzo[a]pyrene	50-32-8	July 1, 1987
Benzotrichloride	98-07-7	July 1, 1987
Benzyl chloride	100-44-7	January 1, 1990
Benzyl violet 4B	1694-09-3	July 1, 1987
Beryllium and beryllium compounds	—	October 1, 1987
Betel quid with tobacco	—	January 1, 1990
Betel quid without tobacco	—	February 3, 2006
2,2-Bis(bromomethyl)-1,3-propanediol	3296-90-0	May 1, 1996
Bis(2-chloroethyl)ether	111-44-4	April 1, 1988
N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlornapazine)	494-03-1	February 27, 1987
Bischloroethyl nitrosourea (BCNU) (Carmustine)	154-93-8	July 1, 1987
Bis(chloromethyl)ether	542-88-1	February 27, 1987
Bis(2-chloro-1-methylethyl) ether, technical grade	—	October 29, 1999
Bitumens, extracts of steam-refined and air refined	—	January 1, 1990
Bracken fern	—	January 1, 1990
Bromate	15541-45-4	May 31, 2002
Bromodichloromethane	75-27-4	January 1, 1990
Bromoethane	74-96-4	December 22, 2000
Bromoform	75-25-2	April 1, 1991
1,3-Butadiene	106-99-0	April 1, 1988
1,4-Butanediol dimethanesulfonate (Busulfan)	55-98-1	February 27, 1987
Butylated hydroxyanisole	25013-16-5	January 1, 1990
beta-Butyrolactone	3068-88-0	July 1, 1987
Cacodylic acid	75-60-5	May 1, 1996
Cadmium and cadmium compounds	—	October 1, 1987
Caffeic acid	331-39-5	October 1, 1994
Captan	2425-06-1	October 1, 1988
Captan	133-06-2	January 1, 1990
Carbazole	86-74-8	May 1, 1996
Carbon black (airborne, unbound particles of respirable size)	1333-86-4	February 21, 2003
Carbon tetrachloride	56-23-5	October 1, 1987
Carbon-black extracts	—	January 1, 1990

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
N-Carboxymethyl-N-nitrosourea	60391-92-6	January 25, 2002
Catechol	120-80-9	July 15, 2003
Ceramic fibers (airborne particles of respirable size)	—	July 1, 1990
Certain combined chemotherapy for lymphomas	—	February 27, 1987
Chlorambucil	305-03-3	February 27, 1987
Chloramphenicol	56-75-7	October 1, 1989
Chlordane	57-74-9	July 1, 1988
Chlordecone (Kepone)	143-50-0	January 1, 1988
Chlordimeform	6164-98-3	January 1, 1989
Chlorendic acid	115-28-6	July 1, 1989
Chlorinated paraffins (Average chain length, C12; approximately 60 percent chlorine by weight)	108171-26-2	July 1, 1989
p-Chloroaniline	106-47-8	October 1, 1994
p-Chloroaniline hydrochloride	20265-96-7	May 15, 1998
Chlorodibromomethane <u>Delisted October 29, 1999</u>	<del>124-48-1</del>	<del>January 1, 1990</del>
Chloroethane (Ethyl chloride)	75-00-3	July 1, 1990
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU)	13010-47-4	January 1, 1988
(Lomustine)		
1-(2-Chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea (Methyl-CCNU)	13909-09-6	October 1, 1988
Chloroform	67-66-3	October 1, 1987
Chloromethyl methyl ether (technical grade)	107-30-2	February 27, 1987
3-Chloro-2-methylpropene	563-47-3	July 1, 1989
1-Chloro-4-nitrobenzene	100-00-5	October 29, 1999
4-Chloro-ortho-phenylenediamine	95-83-0	January 1, 1988
p-Chloro-o-toluidine	95-69-2	January 1, 1990
p-Chloro-o-toluidine, strong acid salts of	—	May 15, 1998
5-Chloro-o-toluidine and its strong acid salts	—	October 24, 1997
Chloroprene	126-99-8	June 2, 2000
Chlorothalonil	1897-45-6	January 1, 1989
Chlorotrianisene	569-57-3	September 1, 1996
Chlorozotocin	54749-90-5	January 1, 1992
Chromium (hexavalent compounds)	—	February 27, 1987
Chrysene	218-01-9	January 1, 1990
C.I. Acid Red 114	6459-94-5	July 1, 1992
C.I. Basic Red 9 monohydrochloride	569-61-9	July 1, 1989
C.I. Direct Blue 15	2429-74-5	August 26, 1997
C.I. Direct Blue 218	28407-37-6	August 26, 1997
C.I. Solvent Yellow 14	842-07-9	May 15, 1998
Ciclosporin (Cyclosporin A; Cyclosporine)	59865-13-3	January 1, 1992
	79217-60-0	
Cidofovir	113852-37-2	January 29, 1999
Cinnamyl anthranilate	87-29-6	July 1, 1989
Cisplatin	15663-27-1	October 1, 1988
Citrus Red No. 2	6358-53-8	October 1, 1989
Clofibrate	637-07-0	September 1, 1996
Cobalt metal powder	7440-48-4	July 1, 1992
Cobalt [II] oxide	1307-96-6	July 1, 1992
Cobalt sulfate	10124-43-3	May 20, 2005
Cobalt sulfate heptahydrate	10026-24-1	June 2, 2000
Coke oven emissions	—	February 27, 1987
Conjugated estrogens	—	February 27, 1987
Creosotes	—	October 1, 1988

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
para-Cresidine	120-71-8	January 1, 1988
Cupferron	135-20-6	January 1, 1988
Cycasin	14901-08-7	January 1, 1988
Cyclophosphamide (anhydrous)	50-18-0	February 27, 1987
Cyclophosphamide (hydrated)	6055-19-2	February 27, 1987
Cytembena	21739-91-3	May 15, 1998
D&C Orange No. 17	3468-63-1	July 1, 1990
D&C Red No. 8	2092-56-0	October 1, 1990
D&C Red No. 9	5160-02-1	July 1, 1990
D&C Red No. 19	81-88-9	July 1, 1990
Dacarbazine	4342-03-4	January 1, 1988
Daminozide	1596-84-5	January 1, 1990
Dantron (Chrysazin; 1,8-Dihydroxyanthraquinone)	117-10-2	January 1, 1992
Daunomycin	20830-81-3	January 1, 1988
DDD (Dichlorodiphenyldichloroethane)	72-54-8	January 1, 1989
DDE (Dichlorodiphenyldichloroethylene)	72-55-9	January 1, 1989
DDT (Dichlorodiphenyltrichloroethane)	50-29-3	October 1, 1987
DDVP (Dichlorvos)	62-73-7	January 1, 1989
N,N'-Diacetylbenzidine	613-35-4	October 1, 1989
2,4-Diaminoanisole	615-05-4	October 1, 1990
2,4-Diaminoanisole sulfate	39156-41-7	January 1, 1988
4,4'-Diaminodiphenyl ether (4,4'-Oxydianiline)	101-80-4	January 1, 1988
2,4-Diaminotoluene	95-80-7	January 1, 1988
Diaminotoluene (mixed)	—	January 1, 1990
Diazoaminobenzene	136-35-6	May 20, 2005
Dibenz[a,h]acridine	226-36-8	January 1, 1988
Dibenz[a,j]acridine	224-42-0	January 1, 1988
Dibenz[a,h]anthracene	53-70-3	January 1, 1988
7H-Dibenzo[c,g]carbazole	194-59-2	January 1, 1988
Dibenzo[a,e]pyrene	192-65-4	January 1, 1988
Dibenzo[a,h]pyrene	189-64-0	January 1, 1988
Dibenzo[a,i]pyrene	189-55-9	January 1, 1988
Dibenzo[a,l]pyrene	191-30-0	January 1, 1988
Dibromoacetic acid	631-64-1	June 17, 2008
1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	July 1, 1987
2,3-Dibromo-1-propanol	96-13-9	October 1, 1994
Dichloroacetic acid	79-43-6	May 1, 1996
p-Dichlorobenzene	106-46-7	January 1, 1989
3,3'-Dichlorobenzidine	91-94-1	October 1, 1987
3,3'-Dichlorobenzidine dihydrochloride	612-83-9	May 15, 1998
1,4-Dichloro-2-butene	764-41-0	January 1, 1990
3,3'-Dichloro-4,4'-diaminodiphenyl ether	28434-86-8	January 1, 1988
1,1-Dichloroethane	75-34-3	January 1, 1990
Dichloromethane (Methylene chloride)	75-09-2	April 1, 1988
1,2-Dichloropropane	78-87-5	January 1, 1990
1,3-Dichloropropene	542-75-6	January 1, 1989
Dieldrin	60-57-1	July 1, 1988
Dienestrol	84-17-3	January 1, 1990
Diepoxybutane	1464-53-5	January 1, 1988
Diesel engine exhaust	—	October 1, 1990
Di(2-ethylhexyl)phthalate	117-81-7	January 1, 1988
1,2-Diethylhydrazine	1615-80-1	January 1, 1988
Diethyl sulfate	64-67-5	January 1, 1988



<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Diethylstilbestrol (DES)	56-53-1	February 27, 1987
Diglycidyl resorcinol ether (DGRE)	101-90-6	July 1, 1989
Dihydrosafrole	94-58-6	January 1, 1988
Diisopropyl sulfate	2973-10-6	April 1, 1993
3,3'-Dimethoxybenzidine (ortho-Dianisidine)	119-90-4	January 1, 1988
3,3'-Dimethoxybenzidine dihydrochloride (ortho-Dianisidine dihydrochloride)	20325-40-0	October 1, 1990
3,3'-Dimethoxybenzidine-based dyes metabolized to 3,3'-dimethoxybenzidine	—	June 11, 2004
3,3'-Dimethylbenzidine-based dyes metabolized to 3,3'-dimethylbenzidine	—	June 11, 2004
Dimethyl sulfate	77-78-1	January 1, 1988
4-Dimethylaminoazobenzene	60-11-7	January 1, 1988
trans-2-[(Dimethylamino)methylimino]-5-[2-(5-nitro-2-furyl)vinyl]-1,3,4-oxadiazole	55738-54-0	January 1, 1988
7,12-Dimethylbenz(a)anthracene	57-97-6	January 1, 1990
3,3'-Dimethylbenzidine (ortho-Tolidine)	119-93-7	January 1, 1988
3,3'-Dimethylbenzidine dihydrochloride	612-82-8	April 1, 1992
Dimethylcarbamoyl chloride	79-44-7	January 1, 1988
1,1-Dimethylhydrazine (UDMH)	57-14-7	October 1, 1989
1,2-Dimethylhydrazine	540-73-8	January 1, 1988
Dimethylvinylchloride	513-37-1	July 1, 1989
3,7-Dinitrofluoranthene	105735-71-5	August 26, 1997
3,9-Dinitrofluoranthene	22506-53-2	August 26, 1997
1,6-Dinitropyrene	42397-64-8	October 1, 1990
1,8-Dinitropyrene	42397-65-9	October 1, 1990
Dinitrotoluene mixture, 2,4-/2,6-	—	May 1, 1996
2,4-Dinitrotoluene	121-14-2	July 1, 1988
2,6-Dinitrotoluene	606-20-2	July 1, 1995
Di-n-propyl isocinchomeronate (MGK Repellent 326)	136-45-8	May 1, 1996
1,4-Dioxane	123-91-1	January 1, 1988
Diphenylhydantoin (Phenytoin)	57-41-0	January 1, 1988
Diphenylhydantoin (Phenytoin), sodium salt	630-93-3	January 1, 1988
Direct Black 38 (technical grade)	1937-37-7	January 1, 1988
Direct Blue 6 (technical grade)	2602-46-2	January 1, 1988
Direct Brown 95 (technical grade)	16071-86-6	October 1, 1988
Disperse Blue 1	2475-45-8	October 1, 1990
Diuron	330-54-1	May 31, 2002
Doxorubicin hydrochloride (Adriamycin)	25316-40-9	July 1, 1987
Epichlorohydrin	106-89-8	October 1, 1987
Erionite	12510-42-8/ 66733-21-9	October 1, 1988
Estradiol 17B	50-28-2	January 1, 1988
Estragole	140-67-0	October 29, 1999
Estrogens, steroidal	—	August 19, 2005
Estrone	53-16-7	January 1, 1988
Estropipate	7280-37-7	August 26, 1997
Ethinylestradiol	57-63-6	January 1, 1988
Ethoprop	13194-48-4	February 27, 2001
Ethyl acrylate	140-88-5	July 1, 1989
Ethylbenzene	100-41-4	June 11, 2004
Ethyl methanesulfonate	62-50-0	January 1, 1988
Ethyl-4,4'-dichlorobenzilate	510-15-6	January 1, 1990

**CALIFORNIA REGULATORY NOTICE REGISTER 2008, VOLUME NO. 51-Z**


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<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
Ethylene dibromide	106-93-4	July 1, 1987
Ethylene dichloride (1,2-Dichloroethane)	107-06-2	October 1, 1987
Ethylene oxide	75-21-8	July 1, 1987
Ethylene thiourea	96-45-7	January 1, 1988
Ethyleneimine	151-56-4	January 1, 1988
Fenoxycarb	72490-01-8	June 2, 2000
Folpet	133-07-3	January 1, 1989
Formaldehyde (gas)	50-00-0	January 1, 1988
2-(2-Formylhydrazino)-4-(5-nitro-2-furyl)thiazole	3570-75-0	January 1, 1988
Fumonisin B <sub>1</sub>	116355-83-0	November 14, 2003
Furan	110-00-9	October 1, 1993
Furazolidone	67-45-8	January 1, 1990
Furmecyclox	60568-05-0	January 1, 1990
Fusarin C	79748-81-5	July 1, 1995
Gallium arsenide	1303-00-0	August 1, 2008
Ganciclovir	82410-32-0	August 26, 1997
Gasoline engine exhaust (condensates/extracts)	—	October 1, 1990
Gemfibrozil	25812-30-0	December 22, 2000
Glasswool fibers (airborne particles of respirable size)	—	July 1, 1990
Glu-P-1 (2-Amino-6-methyldipyrdo[1,2-a:3',2'-d]imidazole)	67730-11-4	January 1, 1990
Glu-P-2 (2-Aminodipyrdo[1,2-a:3',2'-d]imidazole)	67730-10-3	January 1, 1990
Glycidaldehyde	765-34-4	January 1, 1988
Glycidol	556-52-5	July 1, 1990
Griseofulvin	126-07-8	January 1, 1990
Gyromitrin (Acetaldehyde methylformylhydrazone)	16568-02-8	January 1, 1988
HC Blue 1	2784-94-3	July 1, 1989
Heptachlor	76-44-8	July 1, 1988
Heptachlor epoxide	1024-57-3	July 1, 1988
Herbal remedies containing plant species of the genus Aristolochia	—	July 9, 2004
Hexachlorobenzene	118-74-1	October 1, 1987
Hexachlorocyclohexane (technical grade)	—	October 1, 1987
Hexachlorodibenzodioxin	34465-46-8	April 1, 1988
Hexachloroethane	67-72-1	July 1, 1990
2,4-Hexadienal (89% trans, trans isomer; 11% cis, trans isomer)	—	March 4, 2005
Hexamethylphosphoramide	680-31-9	January 1, 1988
Hydrazine	302-01-2	January 1, 1988
Hydrazine sulfate	10034-93-2	January 1, 1988
Hydrazobenzene (1,2-Diphenylhydrazine)	122-66-7	January 1, 1988
1-Hydroxyanthraquinone	129-43-1	May 27, 2005
Indeno [1,2,3-cd]pyrene	193-39-5	January 1, 1988
Indium phosphide	22398-80-7	February 27, 2001
IQ (2-Amino-3-methylimidazo[4,5-f]quinoline)	76180-96-6	April 1, 1990
Iprodione	36734-19-7	May 1, 1996
Iprovalicarb	140923-17-7	June 1, 2007
	140923-25-7	
Iron dextran complex	9004-66-4	January 1, 1988
Isobutyl nitrite	542-56-3	May 1, 1996
Isoprene	78-79-5	May 1, 1996
Isosafrole <u>Delisted December 8, 2006</u>	120-58-1	October 1, 1989
Isoxafutole	141112-29-0	December 22, 2000

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Lactofen	77501-63-4	January 1, 1989
Lasiocarpine	303-34-4	April 1, 1988
Lead acetate	301-04-2	January 1, 1988
Lead and lead compounds	—	October 1, 1992
Lead phosphate	7446-27-7	April 1, 1988
Lead subacetate	1335-32-6	October 1, 1989
Lindane and other hexachlorocyclohexane isomers	—	October 1, 1989
Lynestrenol	52-76-6	February 27, 2001
Mancozeb	8018-01-7	January 1, 1990
Maneb	12427-38-2	January 1, 1990
Me-A-alpha-C (2-Amino-3-methyl-9H-pyrido[2,3-b]indole)	68006-83-7	January 1, 1990
Medroxyprogesterone acetate	71-58-9	January 1, 1990
MeIQ(2-Amino-3,4-dimethylimidazo[4,5-f]quinoline)	77094-11-2	October 1, 1994
MeIQx(2-Amino-3,8-dimethylimidazo[4,5-f]quinoxaline)	77500-04-0	October 1, 1994
Melphalan	148-82-3	February 27, 1987
Mepanipyridin	110235-47-7	July 1, 2008
Merphalan	531-76-0	April 1, 1988
Mestranol	72-33-3	April 1, 1988
Metham sodium	137-42-8	November 6, 1998
8-Methoxypsoralen with ultraviolet A therapy	298-81-7	February 27, 1987
5-Methoxypsoralen with ultraviolet A therapy	484-20-8	October 1, 1988
2-Methylaziridine (Propyleneimine)	75-55-8	January 1, 1988
Methylazoxymethanol	590-96-5	April 1, 1988
Methylazoxymethanol acetate	592-62-1	April 1, 1988
Methyl carbamate	598-55-0	May 15, 1998
3-Methylcholanthrene	56-49-5	January 1, 1990
5-Methylchrysene	3697-24-3	April 1, 1988
4,4' -Methylene bis(2-chloroaniline)	101-14-4	July 1, 1987
4,4' -Methylene bis(N,N-dimethyl)benzenamine	101-61-1	October 1, 1989
4,4' -Methylene bis(2-methylaniline)	838-88-0	April 1, 1988
4,4' -Methylenedianiline	101-77-9	January 1, 1988
4,4' -Methylenedianiline dihydrochloride	13552-44-8	January 1, 1988
Methyleugenol	93-15-2	November 16, 2001
Methylhydrazine and its salts	—	July 1, 1992
Methyl iodide	74-88-4	April 1, 1988
Methylmercury compounds	—	May 1, 1996
Methyl methanesulfonate	66-27-3	April 1, 1988
2-Methyl-1-nitroanthraquinone (of uncertain purity)	129-15-7	April 1, 1988
N-Methyl-N' -nitro-N-nitrosoguanidine	70-25-7	April 1, 1988
N-Methylolacrylamide	924-42-5	July 1, 1990
Methylthiouracil	56-04-2	October 1, 1989
Metiram	9006-42-2	January 1, 1990
Metronidazole	443-48-1	January 1, 1988
Michler's ketone	90-94-8	January 1, 1988
Mirex	2385-85-5	January 1, 1988
Mitomycin C	50-07-7	April 1, 1988
Monocrotaline	315-22-0	April 1, 1988
5-(Morpholinomethyl)-3-[(5-nitro-furfurylidene)-amino]-2-oxazolidinone	139-91-3	April 1, 1988
Mustard Gas	505-60-2	February 27, 1987
MX (3-chloro-4-(dichloromethyl)-5-hydroxy-2(5H)-furanone)	77439-76-0	December 22, 2000

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
Nafenopin	3771-19-5	April 1, 1988
Nalidixic acid	389-08-2	May 15, 1998
Naphthalene	91-20-3	April 19, 2002
1-Naphthylamine	134-32-7	October 1, 1989
2-Naphthylamine	91-59-8	February 27, 1987
Nickel (Metallic)	7440-02-0	October 1, 1989
Nickel acetate	373-02-4	October 1, 1989
Nickel carbonate	3333-67-3	October 1, 1989
Nickel carbonyl	13463-39-3	October 1, 1987
Nickel compounds	—	May 7, 2004
Nickel hydroxide	12054-48-7; 12125-56-3	October 1, 1989
Nickelocene	1271-28-9	October 1, 1989
Nickel oxide	1313-99-1	October 1, 1989
Nickel refinery dust from the pyrometallurgical process	—	October 1, 1987
Nickel subsulfide	12035-72-2	October 1, 1987
Niridazole	61-57-4	April 1, 1988
Nitrapyrin	1929-82-4	October 5, 2005
Nitrioltriactic acid	139-13-9	January 1, 1988
Nitrioltriactic acid, trisodium salt monohydrate	18662-53-8	April 1, 1989
5-Nitroacenaphthene	602-87-9	April 1, 1988
5-Nitro-o-anisidine <u>Delisted December 8, 2006</u>	99-59-2	October 1, 1989
o-Nitroanisole	91-23-6	October 1, 1992
Nitrobenzene	98-95-3	August 26, 1997
4-Nitrobiphenyl	92-93-3	April 1, 1988
6-Nitrochrysene	7496-02-8	October 1, 1990
Nitrofen (technical grade)	1836-75-5	January 1, 1988
2-Nitrofluorene	607-57-8	October 1, 1990
Nitrofurazone	59-87-0	January 1, 1990
1-[(5-Nitrofurfurylidene)-amino]-2-imidazolidinone	555-84-0	April 1, 1988
N-[4-(5-Nitro-2-furyl)-2-thiazolyl]acetamide	531-82-8	April 1, 1988
Nitrogen mustard (Mechlorethamine)	51-75-2	January 1, 1988
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	55-86-7	April 1, 1988
Nitrogen mustard N-oxide	126-85-2	April 1, 1988
Nitrogen mustard N-oxide hydrochloride	302-70-5	April 1, 1988
Nitromethane	75-52-5	May 1, 1997
2-Nitropropane	79-46-9	January 1, 1988
1-Nitropyrene	5522-43-0	October 1, 1990
4-Nitropyrene	57835-92-4	October 1, 1990
N-Nitrosodi-n-butylamine	924-16-3	October 1, 1987
N-Nitrosodiethanolamine	1116-54-7	January 1, 1988
N-Nitrosodiethylamine	55-18-5	October 1, 1987
N-Nitrosodimethylamine	62-75-9	October 1, 1987
p-Nitrosodiphenylamine	156-10-5	January 1, 1988
N-Nitrosodiphenylamine	86-30-6	April 1, 1988
N-Nitrosodi-n-propylamine	621-64-7	January 1, 1988
N-Nitroso-N-ethylurea	759-73-9	October 1, 1987
3-(N-Nitrosomethylamino)propionitrile	60153-49-3	April 1, 1990
4-(N-Nitrosomethylamino)-1-(3-pyridyl)1-butanone	64091-91-4	April 1, 1990
N-Nitrosomethylethylamine	10595-95-6	October 1, 1989
N-Nitroso-N-methylurea	684-93-5	October 1, 1987
N-Nitroso-N-methylurethane	615-53-2	April 1, 1988
N-Nitrosomethylvinylamine	4549-40-0	January 1, 1988



<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
N-Nitrosomorpholine	59-89-2	January 1, 1988
N-Nitrosornicotine	16543-55-8	January 1, 1988
N-Nitrosopiperidine	100-75-4	January 1, 1988
N-Nitrosopyrrolidine	930-55-2	October 1, 1987
N-Nitrososarcosine	13256-22-9	January 1, 1988
o-Nitrotoluene	88-72-2	May 15, 1998
Norethisterone (Norethindrone)	68-22-4	October 1, 1989
Norethynodrel	68-23-5	February 27, 2001
Ochratoxin A	303-47-9	July 1, 1990
Oil Orange SS	2646-17-5	April 1, 1988
Oral contraceptives, combined	—	October 1, 1989
Oral contraceptives, sequential	—	October 1, 1989
Oryzalin	19044-88-3	September 12, 2008
Oxadiazon	19666-30-9	July 1, 1991
Oxazepam	604-75-1	October 1, 1994
Oxymetholone	434-07-1	January 1, 1988
Oxythioquinox (Chinomethionat)	2439-01-2	August 20, 1999
Palygorskite fibers (> 5µm in length)	12174-11-7	December 28, 1999
Panfuran S	794-93-4	January 1, 1988
Pentachlorophenol	87-86-5	January 1, 1990
Phenacetin	62-44-2	October 1, 1989
Phenazopyridine	94-78-0	January 1, 1988
Phenazopyridine hydrochloride	136-40-3	January 1, 1988
Phenesterin	3546-10-9	July 1, 1989
Phenobarbital	50-06-6	January 1, 1990
Phenolphthalein	77-09-8	May 15, 1998
Phenoxybenzamine	59-96-1	April 1, 1988
Phenoxybenzamine hydrochloride	63-92-3	April 1, 1988
o-Phenylenediamine and its salts	95-54-5	May 15, 1998
Phenyl glycidyl ether	122-60-1	October 1, 1990
Phenylhydrazine and its salts	—	July 1, 1992
o-Phenylphenate, sodium	132-27-4	January 1, 1990
o-Phenylphenol	90-43-7	August 4, 2000
PhiP(2-Amino-1-methyl-6-phenylimidazol[4,5-b]pyridine)	105650-23-5	October 1, 1994
Polybrominated biphenyls	—	January 1, 1988
Polychlorinated biphenyls	—	October 1, 1989
Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	—	January 1, 1988
Polychlorinated dibenzo-p-dioxins	—	October 1, 1992
Polychlorinated dibenzofurans	—	October 1, 1992
Polygeenan	53973-98-1	January 1, 1988
Ponceau MX	3761-53-3	April 1, 1988
Ponceau 3R	3564-09-8	April 1, 1988
Potassium bromate	7758-01-2	January 1, 1990
Pirimicarb	23103-98-2	July 1, 2008
Primidone	125-33-7	August 20, 1999
Procarbazine	671-16-9	January 1, 1988
Procarbazine hydrochloride	366-70-1	January 1, 1988
Procymidone	32809-16-8	October 1, 1994
Progesterone	57-83-0	January 1, 1988
Pronamide	23950-58-5	May 1, 1996
Propachlor	1918-16-7	February 27, 2001
1,3-Propane sultone	1120-71-4	January 1, 1988

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
Propargite	2312-35-8	October 1, 1994
beta-Propiolactone	57-57-8	January 1, 1988
Propoxur	114-26-1	August 11, 2006
Propylene glycol mono- <i>t</i> -butyl ether	57018-52-7	June 11, 2004
Propylene oxide	75-56-9	October 1, 1988
Propylthiouracil	51-52-5	January 1, 1988
Pyridine	110-86-1	May 17, 2002
Quinoline and its strong acid salts	—	October 24, 1997
Radionuclides	—	July 1, 1989
Reserpine	50-55-5	October 1, 1989
Residual (heavy) fuel oils	—	October 1, 1990
Resmethrin	10453-86-8	July 1, 2008
Riddelliine	23246-96-0	December 3, 2004
<u>Saccharin Delisted April 6, 2001</u>	81-07-2	October 1, 1989
<u>Saccharin, sodium Delisted January 17, 2003</u>	128-44-9	January 1, 1988
Safrole	94-59-7	January 1, 1988
Selenium sulfide	7446-34-6	October 1, 1989
Shale-oils	68308-34-9	April 1, 1990
Silica, crystalline (airborne particles of respirable size)	—	October 1, 1988
Soots, tars, and mineral oils (untreated and mildly treated oils and used engine oils)	—	February 27, 1987
Spironolactone	52-01-7	May 1, 1997
Stanozolol	10418-03-8	May 1, 1997
Sterigmatocystin	10048-13-2	April 1, 1988
Streptozotocin (streptozocin)	18883-66-4	January 1, 1988
Strong inorganic acid mists containing sulfuric acid	—	March 14, 2003
Styrene oxide	96-09-3	October 1, 1988
Sulfallate	95-06-7	January 1, 1988
Sulfasalazine (Salicylazosulfapyridine)	599-79-1	May 15, 1998
Talc containing asbestiform fibers	—	April 1, 1990
Tamoxifen and its salts	10540-29-1	September 1, 1996
Terrazole	2593-15-9	October 1, 1994
Testosterone and its esters	58-22-0	April 1, 1988
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	1746-01-6	January 1, 1988
1,1,2,2-Tetrachloroethane	79-34-5	July 1, 1990
Tetrachloroethylene (Perchloroethylene)	127-18-4	April 1, 1988
p-a,a,a-Tetrachlorotoluene	5216-25-1	January 1, 1990
Tetrafluoroethylene	116-14-3	May 1, 1997
Tetranitromethane	509-14-8	July 1, 1990
Thioacetamide	62-55-5	January 1, 1988
4,4'-Thiodianiline	139-65-1	April 1, 1988
Thiodicarb	59669-26-0	August 20, 1999
Thiouracil	141-90-2	June 11, 2004
Thiourea	62-56-6	January 1, 1988
Thorium dioxide	1314-20-1	February 27, 1987
Tobacco, oral use of smokeless products	—	April 1, 1988
Tobacco smoke	—	April 1, 1988
Toluene diisocyanate	26471-62-5	October 1, 1989
ortho-Toluidine	95-53-4	January 1, 1988
ortho-Toluidine hydrochloride	636-21-5	January 1, 1988
<u>para-Toluidine Delisted October 29, 1999</u>	106-49-0	January 1, 1990
Toxaphene (Polychlorinated camphenes)	8001-35-2	January 1, 1988
Treosulfan	299-75-2	February 27, 1987

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
Trichlormethine (Trimustine hydrochloride)	817-09-4	January 1, 1992
Trichloroethylene	79-01-6	April 1, 1988
2,4,6-Trichlorophenol	88-06-2	January 1, 1988
1,2,3-Trichloropropane	96-18-4	October 1, 1992
Trimethyl phosphate	512-56-1	May 1, 1996
2,4,5-Trimethylaniline and its strong acid salts	—	October 24, 1997
<u>2,4,6-Trinitrotoluene (TNT)</u>	<u>118-96-7</u>	<u>December 19, 2008</u>
Triphenyltin hydroxide	76-87-9	July 1, 1992
Tris(aziridinyl)-para-benzoquinone (Triaziquone)		
<del>Delisted December 8, 2006</del>	68-76-8	October 1, 1989
Tris(1-aziridinyl)phosphine sulfide (Thiotepa)	52-24-4	January 1, 1988
Tris(2-chloroethyl) phosphate	115-96-8	April 1, 1992
Tris(2,3-dibromopropyl)phosphate	126-72-7	January 1, 1988
Trp-P-1 (Tryptophan-P-1)	62450-06-0	April 1, 1988
Trp-P-2 (Tryptophan-P-2)	62450-07-1	April 1, 1988
Trypan blue (commercial grade)	72-57-1	October 1, 1989
Unleaded gasoline (wholly vaporized)	—	April 1, 1988
Uracil mustard	66-75-1	April 1, 1988
Urethane (Ethyl carbamate)	51-79-6	January 1, 1988
Vanadium pentoxide (orthorhombic crystalline form)	1314-62-1	February 11, 2005
Vinclozolin	50471-44-8	August 20, 1999
Vinyl bromide	593-60-2	October 1, 1988
Vinyl chloride	75-01-4	February 27, 1987
4-Vinylcyclohexene	100-40-3	May 1, 1996
4-Vinyl-1-cyclohexene diepoxide (Vinyl cyclohexene dioxide)	106-87-6	July 1, 1990
Vinyl fluoride	75-02-5	May 1, 1997
Vinyl trichloride (1,1,2-Trichloroethane)	79-00-5	October 1, 1990
2,6-Xylidine (2,6-Dimethylaniline)	87-62-7	January 1, 1991
Zileuton	111406-87-2	December 22, 2000
<del>Zineb</del> <u>Delisted October 29, 1999</u>	<del>12122-67-7</del>	<del>January 1, 1990</del>

**CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY**

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Acetazolamide	developmental	59-66-5	August 20, 1999
Acetohydroxamic acid	developmental	546-88-3	April 1, 1990
Actinomycin D	developmental	50-76-0	October 1, 1992
All-trans retinoic acid	developmental	302-79-4	January 1, 1989
Alprazolam	developmental	28981-97-7	July 1, 1990
Altretamine	developmental, male	645-05-6	August 20, 1999
Amantadine hydrochloride	developmental	665-66-7	February 27, 2001
Amikacin sulfate	developmental	39831-55-5	July 1, 1990
Aminoglutethimide	developmental	125-84-8	July 1, 1990
Aminoglycosides	developmental	—	October 1, 1992
Aminopterin	developmental, female	54-62-6	July 1, 1987
Amiodarone hydrochloride	developmental, female, male	19774-82-4	August 26, 1997
Amitraz	developmental	33089-61-1	March 30, 1999
Amoxapine	developmental	14028-44-5	May 15, 1998
Anabolic steroids	female, male	—	April 1, 1990
Angiotensin converting enzyme (ACE) inhibitors	developmental	—	October 1, 1992

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Anisindione	developmental	117-37-3	October 1, 1992
Arsenic (inorganic oxides)	developmental	—	May 1, 1997
Aspirin (NOTE: It is especially important not to use aspirin during the last three months of pregnancy, unless specifically directed to do so by a physician because it may cause problems in the unborn child or complications during delivery.)	developmental, female	50-78-2	July 1, 1990
Atenolol	developmental	29122-68-7	August 26, 1997
Auranofin	developmental	34031-32-8	January 29, 1999
Azathioprine	developmental	446-86-6	September 1, 1996
Barbiturates	developmental	—	October 1, 1992
Beclomethasone dipropionate	developmental	5534-09-8	May 15, 1998
Benomyl	developmental, male	17804-35-2	July 1, 1991
Benzene	developmental, male	71-43-2	December 26, 1997
Benzodiazepines	developmental	—	October 1, 1992
Benzphetamine hydrochloride	developmental	5411-22-3	April 1, 1990
Bischloroethyl nitrosourea (BCNU) (Carmustine)	developmental	154-93-8	July 1, 1990
Bromacil lithium salt	developmental male	53404-19-6	May 18, 1999 January 17, 2003
1-Bromopropane	developmental, female, male	106-94-5	December 7, 2004
2-Bromopropane	female, male	75-26-3	May 31, 2005
Bromoxynil	developmental	1689-84-5	October 1, 1990
Bromoxynil octanoate	developmental	1689-99-2	May 18, 1999
Butabarbital sodium	developmental	143-81-7	October 1, 1992
1,3-Butadiene	developmental, female, male	106-99-0	April 16, 2004
1,4-Butanediol dimethane-sulfonate (Busulfan)	developmental	55-98-1	January 1, 1989
Butyl benzyl phthalate (BBP)	developmental	85-68-7	December 2, 2005
Cadmium	developmental, male	—	May 1, 1997
Carbamazepine	developmental	298-46-4	January 29, 1999
Carbon disulfide	developmental, female, male	75-15-0	July 1, 1989
Carbon monoxide	developmental	630-08-0	July 1, 1989
Carboplatin	developmental	41575-94-4	July 1, 1990
Chenodiol	developmental	474-25-9	April 1, 1990
Chlorambucil	developmental	305-03-3	January 1, 1989
Chlorcyclizine hydrochloride	developmental	1620-21-9	July 1, 1987
Chlordecone (Kepone)	developmental	143-50-0	January 1, 1989
Chlordiazepoxide	developmental	58-25-3	January 1, 1992
Chlordiazepoxide hydrochloride	developmental	438-41-5	January 1, 1992
1-(2-Chloroethyl)-3-cyclohexyl-1- nitrosourea (CCNU) (Lomustine)	developmental	13010-47-4	July 1, 1990
Chlorsulfuron	developmental, female, male	64902-72-3	May 14, 1999
<u>Chromium (hexavalent compounds)</u>	<u>developmental, female, male</u>	<u>—</u>	<u>December 19, 2008</u>
Cidofovir	developmental, female, male	113852-37-2	January 29, 1999
Cladribine	developmental	4291-63-8	September 1, 1996
Clarithromycin	developmental	81103-11-9	May 1, 1997
Clobetasol propionate	developmental, female	25122-46-7	May 15, 1998
Clomiphene citrate	developmental	50-41-9	April 1, 1990



<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Clorazepate dipotassium	developmental	57109-90-7	October 1, 1992
Cocaine	developmental, female	50-36-2	July 1, 1989
Codeine phosphate	developmental	52-28-8	May 15, 1998
Colchicine	developmental, male	64-86-8	October 1, 1992
Conjugated estrogens	developmental	—	April 1, 1990
Cyanazine	developmental	21725-46-2	April 1, 1990
Cycloate	developmental	1134-23-2	March 19, 1999
Cyclohexanol	male	108-93-0	November 6, 1998
<u>Delisted January 25, 2002</u>			
Cycloheximide	developmental	66-81-9	January 1, 1989
Cyclophosphamide (anhydrous)	developmental, female, male	50-18-0	January 1, 1989
Cyclophosphamide (hydrated)	developmental, female, male	6055-19-2	January 1, 1989
Cyhexatin	developmental	13121-70-5	January 1, 1989
Cytarabine	developmental	147-94-4	January 1, 1989
Dacarbazine	developmental	4342-03-4	January 29, 1989
Danazol	developmental	17230-88-5	April 1, 1990
Daunorubicin hydrochloride	developmental	23541-50-6	July 1, 1990
2,4-D butyric acid	developmental, male	94-82-6	June 18, 1999
o,p' -DDT	developmental, female, male	789-02-6	May 15, 1998
p,p' -DDT	developmental, female, male	50-29-3	May 15, 1998
2,4 DP (dichloroprop)	developmental	120-36-5	April 27, 1999
<u>Delisted January 25, 2002</u>			
Demeclocycline hydrochloride (internal use)	developmental	64-73-3	January 1, 1992
Diazepam	developmental	439-14-5	January 1, 1992
Diazoxide	developmental	364-98-7	February 27, 2001
1,2-Dibromo-3-chloropropane (DBCP)	male	96-12-8	February 27, 1987
Di-n-butyl phthalate (DBP)	developmental, female, male	84-74-2	December 2, 2005
Dichlorophene	developmental	97-23-4	April 27, 1999
Dichlorphenamide	developmental	120-97-8	February 27, 2001
Diclofop methyl	developmental	51338-27-3	March 5, 1999
Dicumarol	developmental	66-76-2	October 1, 1992
Di(2-ethylhexyl)phthalate (DEHP)	developmental, male	117-81-7	October 24, 2003
Diethylstilbestrol (DES)	developmental	56-53-1	July 1, 1987
Diflunisal	developmental, female	22494-42-4	January 29, 1999
Di-n-hexyl phthalate (DnHP)	female, male	84-75-3	December 2, 2005
Dihydroergotamine mesylate	developmental	6190-39-2	May 1, 1997
Di-isodecyl phthalate (DIDP)	developmental	68515-49-1/ 26761-40-0	April 20, 2007
Diltiazem hydrochloride	developmental	33286-22-5	February 27, 2001
m-Dinitrobenzene	male	99-65-0	July 1, 1990
o-Dinitrobenzene	male	528-29-0	July 1, 1990
p-Dinitrobenzene	male	100-25-4	July 1, 1990
2,4-Dinitrotoluene	male	121-14-2	August 20, 1999
2,6-Dinitrotoluene	male	606-20-2	August 20, 1999
Dinitrotoluene (technical grade)	female, male	—	August 20, 1999
Dinocap	developmental	39300-45-3	April 1, 1990
Dinoseb	developmental, male	88-85-7	January 1, 1989
Diphenylhydantoin (Phenytoin)	developmental	57-41-0	July 1, 1987
Disodium cyanodithioimidocarbonate	developmental	138-93-2	March 30, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Doxorubicin hydrochloride (Adriamycin)	developmental, male	25316-40-9	January 29, 1999
Doxycycline (internal use)	developmental	564-25-0	July 1, 1990
Doxycycline calcium (internal use)	developmental	94088-85-4	January 1, 1992
Doxycycline hyclate (internal use)	developmental	24390-14-5	October 1, 1991
Doxycycline monohydrate (internal use)	developmental	17086-28-1	October 1, 1991
Endrin	developmental	72-20-8	May 15, 1998
Environmental tobacco smoke (ETS)	developmental	—	June 9, 2006
Epichlorohydrin	male	106-89-8	September 1, 1996
Ergotamine tartrate	developmental	379-79-3	April 1, 1990
Estropipate	developmental	7280-37-7	August 26, 1997
Ethionamide	developmental	536-33-4	August 26, 1997
Ethyl alcohol in alcoholic beverages	developmental	—	October 1, 1987
Ethyl dipropylthiocarbamate	developmental	759-94-4	April 27, 1999
Ethylene dibromide	developmental, male	106-93-4	May 15, 1998
Ethylene glycol monoethyl ether	developmental, male	110-80-5	January 1, 1989
Ethylene glycol monomethyl ether	developmental, male	109-86-4	January 1, 1989
Ethylene glycol monoethyl ether acetate	developmental, male	111-15-9	January 1, 1993
Ethylene glycol monomethyl ether acetate	developmental, male	110-49-6	January 1, 1993
Ethylene oxide	female	75-21-8	February 27, 1987
Ethylene thiourea	developmental	96-45-7	January 1, 1993
Etodolac	developmental, female	41340-25-4	August 20, 1999
Etoposide	developmental	33419-42-0	July 1, 1990
Etretinate	developmental	54350-48-0	July 1, 1987
Fenoxaprop ethyl	developmental	66441-23-4	March 26, 1999
Filgrastim	developmental	121181-53-1	February 27, 2001
Fluazifop butyl	developmental	69806-50-4	November 6, 1998
Flunisolid	developmental, female	3385-03-3	May 15, 1998
Fluorouracil	developmental	51-21-8	January 1, 1989
Fluoxymesterone	developmental	76-43-7	April 1, 1998
Flurazepam hydrochloride	developmental	1172-18-5	October 1, 1992
Flurbiprofen	developmental, female	5104-49-4	August 20, 1999
Flutamide	developmental	13311-84-7	July 1, 1990
Fluticasone propionate	developmental	80474-14-2	May 15, 1998
Fluvalinate	developmental	69409-94-5	November 6, 1998
Ganciclovir	developmental, male	82410-32-0	August 26, 1997
Ganciclovir sodium	developmental, male	107910-75-8	August 26, 1997
Gemfibrozil	female, male	25812-30-0	August 20, 1999
Goserelin acetate	developmental, female, male	65807-02-5	August 26, 1997
Halazepam	developmental	23092-17-3	July 1, 1990
Halobetasol propionate	developmental	66852-54-8	August 20, 1999
Haloperidol	developmental, female	52-86-8	January 29, 1999
Halothane	developmental	151-67-7	September 1, 1996
Heptachlor	developmental	76-44-8	August 20, 1999
Hexachlorobenzene	developmental	118-74-1	January 1, 1989
Hexafluoroacetone	male	684-16-2	August 1, 2008
Hexamethylphosphoramide	male	680-31-9	October 1, 1994
Histrelin acetate	developmental	—	May 15, 1998
Hydramethylnon	developmental, male	67485-29-4	March 5, 1999
Hydroxyurea	developmental	127-07-1	May 1, 1997

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Idarubicin hydrochloride	developmental, male	57852-57-0	August 20, 1999
Ifosfamide	developmental	3778-73-2	July 1, 1990
Iodine-131	developmental	10043-66-0	January 1, 1989
Isotretinoin	developmental	4759-48-2	July 1, 1987
Lead	developmental, female, male	—	February 27, 1987
Leuprolide acetate	developmental, female, male	74381-53-6	August 26, 1997
Levodopa	developmental	59-92-7	January 29, 1999
Levonorgestrel implants	female	797-63-7	May 15, 1998
Linuron	developmental	330-55-2	March 19, 1999
Lithium carbonate	developmental	554-13-2	January 1, 1991
Lithium citrate	developmental	919-16-4	January 1, 1991
Lorazepam	developmental	846-49-1	July 1, 1990
Lovastatin	developmental	75330-75-5	October 1, 1992
Mebendazole	developmental	31431-39-7	August 20, 1999
Medroxyprogesterone acetate	developmental	71-58-9	April 1, 1990
Megestrol acetate	developmental	595-33-5	January 1, 1991
Melphalan	developmental	148-82-3	July 1, 1990
Menotropins	developmental	9002-68-0	April 1, 1990
Meprobamate	developmental	57-53-4	January 1, 1992
Mercaptopurine	developmental	6112-76-1	July 1, 1990
Mercury and mercury compounds	developmental	—	July 1, 1990
Methacycline hydrochloride	developmental	3963-95-9	January 1, 1991
Metham sodium	developmental	137-42-8	May 15, 1998
Methazole	developmental	20354-26-1	December 1, 1999
Methimazole	developmental	60-56-0	July 1, 1990
Methotrexate	developmental	59-05-2	January 1, 1989
Methotrexate sodium	developmental	15475-56-6	April 1, 1990
Methyl bromide as a structural fumigant	developmental	74-83-9	January 1, 1993
Methyl chloride	developmental	74-87-3	March 10, 2000
Methyl mercury	developmental	—	July 1, 1987
N-Methylpyrrolidone	developmental	872-50-4	June 15, 2001
Methyltestosterone	developmental	58-18-4	April 1, 1990
Metiram	developmental	9006-42-2	March 30, 1999
Midazolam hydrochloride	developmental	59467-96-8	July 1, 1990
Minocycline hydrochloride (internal use)	developmental	13614-98-7	January 1, 1992
Misoprostol	developmental	59122-46-2	April 1, 1990
Mitoxantrone hydrochloride	developmental	70476-82-3	July 1, 1990
Myclobutanil	developmental, male	88671-89-0	April 16, 1999
Nabam	developmental	142-59-6	March 30, 1999
Nafarelin acetate	developmental	86220-42-0	April 1, 1990
Neomycin sulfate (internal use)	developmental	1405-10-3	October 1, 1992
Netilmicin sulfate	developmental	56391-57-2	July 1, 1990
Nickel carbonyl	developmental	13463-39-3	September 1, 1996
Nicotine	developmental	54-11-5	April 1, 1990
Nifedipine	developmental, female, male	21829-25-4	January 29, 1999
Nimodipine	developmental	66085-59-4	April 24, 2001
Nitrapyrin	developmental	1929-82-4	March 30, 1999
Nitrofurantoin	male	67-20-9	April 1, 1991
Nitrogen mustard (Mechlorethamine)	developmental	51-75-2	January 1, 1989

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Nitrogen mustard hydrochloride (Mecholethamine hydrochloride)	developmental	55-86-7	July 1, 1990
Nitrous oxide	developmental	10024-97-2	August 1, 2008
Norethisterone (Norethindrone)	developmental	68-22-4	April 1, 1990
Norethisterone acetate (Norethindrone acetate)	developmental	51-98-9	October 1, 1991
Norethisterone (Norethindrone) /Ethinyl estradiol	developmental	68-22-4/ 57-63-6	April 1, 1990
Norethisterone (Norethindrone)/Mestranol	developmental	68-22-4/ 72-33-3	April 1, 1990
Norgestrel	developmental	6533-00-2	April 1, 1990
Oxadiazon	developmental	19666-30-9	May 15, 1998
Oxazepam	developmental	604-75-1	October 1, 1992
Oxydemeton methyl	female, male	301-12-2	November 6, 1998
Oxymetholone	developmental	434-07-1	May 1, 1997
Oxytetracycline (internal use)	developmental	79-57-2	January 1, 1991
Oxytetracycline hydrochloride (internal use)	developmental	2058-46-0	October 1, 1991
Oxythioquinox (Chinomethionat)	developmental	2439-01-2	November 6, 1998
Paclitaxel	developmental, female, male	33069-62-4	August 26, 1997
Paramethadione	developmental	115-67-3	July 1, 1990
Penicillamine	developmental	52-67-5	January 1, 1991
Pentobarbital sodium	developmental	57-33-0	July 1, 1990
Pentostatin	developmental	53910-25-1	September 1, 1996
Phenacemide	developmental	63-98-9	July 1, 1990
Phenprocoumon	developmental	435-97-2	October 1, 1992
Pimozide	developmental, female	2062-78-4	August 20, 1999
Pipobroman	developmental	54-91-1	July 1, 1990
Plicamycin	developmental	18378-89-7	April 1, 1990
Polybrominated biphenyls	developmental	—	October 1, 1994
Polychlorinated biphenyls	developmental	—	January 1, 1991
Potassium dimethyldithiocarbamate	developmental	128-03-0	March 30 1999
Pravastatin sodium	developmental	81131-70-6	March 3, 2000
Prednisolone sodium phosphate	developmental	125-02-0	August 20, 1999
Procarbazine hydrochloride	developmental	366-70-1	July 1, 1990
Propargite	developmental	2312-35-8	June 15, 1999
Propylthiouracil	developmental	51-52-5	July 1, 1990
Pyrimethamine	developmental	58-14-0	January 29, 1999
Quazepam	developmental	36735-22-5	August 26, 1997
Quizalofop-ethyl	male	76578-14-8	December 24, 1999
Resmethrin	developmental	10453-86-8	November 6, 1998
Retinol/retinyl esters, when in daily dosages in excess of 10,000 IU, or 3,000 retinol equivalents. (NOTE: Retinol/retinyl esters are required and essential for maintenance of normal reproductive function. The recommended daily level during pregnancy is 8,000 IU.)	developmental	—	July 1, 1989



<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Ribavirin	developmental	36791-04-5	April 1, 1990
	male	36791-04-5	February 27, 2001
Rifampin	developmental, female	13292-46-1	February 27, 2001
Secobarbital sodium	developmental	309-43-3	October 1, 1992
Sermorelin acetate	developmental	—	August 20, 1999
Sodium dimethyldithiocarbamate	developmental	128-04-1	March 30 1999
Sodium fluoroacetate	male	62-74-8	November 6, 1998
Streptomycin sulfate	developmental	3810-74-0	January 1, 1991
Streptozocin (streptozotocin)	developmental, female, male	18883-66-4	August 20, 1999
Sulfasalazine (Salicylazosulfapyridine)	male	599-79-1	January 29, 1999
Sulindac	developmental, female	38194-50-2	January 29, 1999
Tamoxifen citrate	developmental	54965-24-1	July 1, 1990
Temazepam	developmental	846-50-4	April 1, 1990
Teniposide	developmental	29767-20-2	September 1, 1996
Terbacil	developmental	5902-51-2	May 18, 1999
Testosterone cypionate	developmental	58-20-8	October 1, 1991
Testosterone enanthate	developmental	315-37-7	April 1, 1990
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	developmental	1746-01-6	April 1, 1991
Tetracycline (internal use)	developmental	60-54-8	October 1, 1991
Tetracyclines (internal use)	developmental	—	October 1, 1992
Tetracycline hydrochloride (internal use)	developmental	64-75-5	January 1, 1991
Thalidomide	developmental	50-35-1	July 1, 1987
Thioguanine	developmental	154-42-7	July 1, 1990
Thiophanate methyl	female, male	23564-05-8	May 18, 1999
Tobacco smoke (primary)	developmental, female, male	—	April 1, 1988
Tobramycin sulfate	developmental	49842-07-1	July 1, 1990
Toluene	developmental	108-88-3	January 1, 1991
Triadimefon	developmental, female, male	43121-43-3	March 30, 1999
Triazolam	developmental	28911-01-5	April 1, 1990
Tributyltin methacrylate	developmental	2155-70-6	December 1, 1999
Trientine hydrochloride	developmental	38260-01-4	February 27, 2001
Triforine	developmental	26644-46-2	June 18, 1999
Trilostane	developmental	13647-35-3	April 1, 1990
Trimethadione	developmental	127-48-0	January 1, 1991
Trimetrexate glucuronate	developmental	82952-64-5	August 26, 1997
Triphenyltin hydroxide	developmental	76-87-9	March 18, 2002
Uracil mustard	developmental, female, male	66-75-1	January 1, 1999
Urethane	developmental	51-79-6	October 1, 1994
Urofollitropin	developmental	97048-13-0	April 1, 1990
Valproate (Valproic acid)	developmental	99-66-1	July 1, 1987
Vinblastine sulfate	developmental	143-67-9	July 1, 1990
Vinclozolin	developmental	50471-44-8	May 15, 1998
Vincristine sulfate	developmental	2068-78-2	July 1, 1990
Vinyl cyclohexene dioxide (4-Vinyl-1-cyclohexene diepoxide)	female, male	106-87-6	August 1, 2008
Warfarin	developmental	81-81-2	July 1, 1987
Zileuton	developmental, female	111406-87-2	December 22, 2000

Date: December 19, 2008

OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT

CALIFORNIA ENVIRONMENTAL  
PROTECTION AGENCY  
OFFICE OF ENVIRONMENTAL HEALTH  
HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC  
ENFORCEMENT ACT OF 1986  
(Proposition 65)

NOTICE TO INTERESTED PARTIES  
December 19, 2008

CHEMICALS LISTED EFFECTIVE  
December 19, 2008  
AS KNOWN TO THE STATE OF  
CALIFORNIA TO CAUSE  
CANCER OR REPRODUCTIVE TOXICITY

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency is adding two chemicals to the list of chemicals known to the State to cause cancer or reproductive toxicity for purposes of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65<sup>1</sup>). The chemicals are 2,4,6-Trinitrotoluene (TNT) (CAS No. 118-96-7) and Chromium (hexavalent compounds). 2,4,6-Trinitrotoluene (TNT) and Chromium (hexavalent compounds) are listed effective **December 19, 2008**.

2,4,6-Trinitrotoluene (TNT) (CAS No. 118-96-7) was considered by the “state’s qualified experts” (the Carcinogen Identification Committee (CIC) of the OEHHA Science Advisory Board<sup>2</sup>) at a public meeting

<sup>1</sup> Health and Safety Code section 25249.5 et seq.

Cancer

Chemical	CASNo.	Toxicological Endpoints	Listing Mechanism <sup>4</sup>
2,4,6-Trinitrotoluene (TNT)	118-96-7	Cancer	SQE

Reproductive Toxicity

Chemical	CASNo.	Toxicological Endpoints	Listing Mechanisms <sup>5</sup>
Chromium (hexavalent compounds)	—	Developmental toxicity Female reproductive toxicity Male reproductive toxicity	SQE

<sup>4</sup> Listing mechanism: SQE — “state’s qualified experts” mechanism (27 CCR section 25305(a)(1)).

<sup>5</sup> Listing mechanism: SQE — “state’s qualified experts” mechanism (27 CCR section 25305(b)(1)).

held on November 5, 2008. The CIC determined that 2,4,6-trinitrotoluene (TNT) (CAS No. 118-96-7) was clearly shown, through scientifically valid testing according to generally accepted principles, to cause cancer. Regulations governing the criteria for listing of chemicals by the “state’s qualified experts” (Carcinogen Identification Committee) mechanism are set out in Title 27, California Code of Regulations, section 25305(a)(1) (formerly Title 22, California Code of Regulations, section 12305(a)(1)).

Chromium (hexavalent compounds) was considered by the Developmental and Reproductive Toxicant (DART) Identification Committee of the OEHHA Science Advisory Board<sup>3</sup>) at a public meeting held on November 20, 2008. The DART Identification Committee determined that chromium (hexavalent compounds) was clearly shown, through scientifically valid testing according to generally accepted principles, to cause reproductive toxicity (including all endpoints, developmental toxicity, male reproductive toxicity and female reproductive toxicity). Regulations governing the criteria for listing of chemicals by the “state’s qualified experts” (DART Identification Committee) mechanism are set out in Title 27, California Code of Regulations, section 25305(b)(1) (formerly Title 22, California Code of Regulations, section 12305(b)(1)).

A complete, updated chemical list is published elsewhere in this issue of the *California Regulatory Notice Register*.

In summary, the following chemicals are being listed under Proposition 65 *as known to the State to cause*:

<sup>2</sup> Health and Safety Code section 25249.8(b) and Title 27, Cal Code of Regs., section 25302 et seq.

<sup>3</sup> Health and Safety Code section 25249.8(b) and Title 27, Cal Code of Regs., section 25302 et seq.

## DECISION NOT TO PROCEED

### CALIFORNIA ENERGY COMMISSION

#### NOTICE OF DECISION NOT TO PROCEED

Pursuant to Government Code Section 11347, the California Energy Commission hereby gives notice that it has decided not to proceed with Article 1 of Chapter 12, Division 1 of Title 20, Section 3100–3108 (Notice File No. Z–2008–1202–04) as published in the California Regulatory Notice Register on December 12, 2008.

Any interested person with questions concerning this rulemaking should contact Aleecia Macias at the California Energy Commission at (916) 654–4526 or by e–mail at: [amacias@energy.state.ca.us](mailto:amacias@energy.state.ca.us).

#### Aleecia Macias

Improved Technologies Unit  
Emerging Fuels & Technology Office  
Fuels & Transportation Division  
California Energy Commission  
916.654.4526  
[amacias@energy.state.ca.us](mailto:amacias@energy.state.ca.us)

## SUMMARY OF REGULATORY ACTIONS

### REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653–7715. Please have the agency name and the date filed (see below) when making a request.

File# 2008–1017–04

#### AIR RESOURCES BOARD

Diesel Aux. Engines on Ocean–Going Vessels

This action adopts limits upon the use of diesel auxiliary engines onboard container ships, refrigerated ships, and cruise ships while in port and tied to berth in order to reduce the formation of particulate matter, nitrogen oxides, smog and carbon dioxide.

Title 13, 17

California Code of Regulations

AMEND: 2299.3, 93118.3

Filed 12/03/2008

Effective 01/02/2009

Agency Contact: Trini Balcazar (916) 445–9564

File# 2008–1105–03

#### DEPARTMENT OF CORRECTIONS AND REHABILITATION

Division of Adult Parole Operations Revisions

This rulemaking amends 24 sections of Title 15 of the California Code of Regulations pursuant to Senate Bill 737 to change references from Director to Secretary and from Department of Corrections to Department of Corrections and Rehabilitation, etc. It adds a number of new definitions pertaining to adult parole operations and it updates and incorporates by reference a form (Certificate of Discharge).

Title 15

California Code of Regulations

AMEND: 3000, 3001, 3041.3, 3075.3, 3294.5, 3356, 3369.5, 3370, 3376.1, 3382, 3383, 3393, 3401, 3402, 3405, 3406, 3407, 3408, 3410, 3411, 3414, 3430, 3432, 3433

Filed 12/09/2008

Effective 01/08/2009

Agency Contact: Diane Hawkins (916) 322–8447

File# 2008–1031–02

#### DEPARTMENT OF FOOD AND AGRICULTURE

Japanese Beetle Eradication Area

This certificate of compliance makes permanent the emergency regulatory action (OAL file no. 2008–0627–01E; DFA file no. PH0897) that established Merced County as an area of eradication for the Japanese beetle (*Popillia japonica*).

Title 3

California Code of Regulations

AMEND: 3589

Filed 12/10/2008

Agency Contact:

Stephen S. Brown

(916) 654–1017

File# 2008–1126–01

#### DEPARTMENT OF FOOD AND AGRICULTURE

Asian Citrus Psyllid Interior Quarantine

This regulatory action expands an existing quarantined area in Imperial and San Diego counties prevent the movement of Asian citrus psyllid (ACP) host materials and citrus greening (CG) host materials.

Title 3  
California Code of Regulations  
AMEND: 3435(b)  
Filed 12/04/2008  
Effective 12/04/2008  
Agency Contact:  
Stephen S. Brown (916) 654-1017

File# 2008-1118-02  
DEPARTMENT OF HEALTH CARE SERVICES  
Durable Medical Equipment Reimbursement Methodology

DHCS is changing the reimbursement methodology for durable medical equipment, orthotic and prosthetic appliances and clinical laboratory services. Exempt from OAL review pursuant to Welfare and Institutions Code section 14105.48(i). Specifically, the changes delete specific amounts for defined items and instead reimburse based on an "amount that does not exceed 80 percent of the lowest maximum allowance for California established by the federal Medicare Program for the same or similar item or service. . ."

Title 22  
California Code of Regulations  
AMEND: 51521  
Filed 12/09/2008  
Effective 12/09/2008  
Agency Contact: Ben Carranco (916) 440-7766

File# 2008-1021-01  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
Local Housing Trust Fund Program

This action adopts regulations implementing the Local Housing Trust Fund program created by Health and Safety Code section 50843.5 as modified by S.B 586 (Stats. 2007, Chap. 652).

Title 25  
California Code of Regulations  
ADOPT: 7150, 7151, 7152, 7153, 7154, 7155, 7156, 7157, 7158, 7159, 7160  
Filed 12/05/2008  
Effective 12/05/2008  
Agency Contact: Lenora Frazier (916) 323-4475

File# 2008-1021-02  
DEPARTMENT OF MOTOR VEHICLES  
Driver Safety Disciplinary Guidelines: Vision Guidelines

This action amends chapter 5, Vision Guidelines, of Guidelines for Actions Against the Driving Privilege Based on Physical and Mental Conditions, the Department of Motor Vehicles publication incorporated by

reference in title 13 California Code of Regulations section 110.04(d). The vision guidelines set forth and describe medical and vision conditions that affect the ability to operate a motor vehicle safely, and the actions DMV may take in issuing, revoking, suspending, or restricting driver license privileges in response to such conditions. Amendments to the vision guidelines also affect the following forms incorporated by reference in the vision guidelines: Form DL 62, Report of Vision Examination (amended; REV 4/2007); Form DS 439 FO, Order of Suspension/Revocation (added; NEW 12/2008); and Form DS 326, Driver Medical Evaluation (repealed).

Title 13  
California Code of Regulations  
AMEND: 110.04  
Filed 12/05/2008  
Effective 01/04/2009  
Agency Contact: Randi Calkins (916) 657-8898

File# 2008-1112-02  
EMERGENCY MEDICAL SERVICES  
AUTHORITY

Lay Rescuer Automated External Defibrillation

The Emergency Medical Services Authority proposed changes to the pre-hospital emergency medical services regulations with respect to "lay rescuers" using Automated External Defibrillators (AEDs). AB 1507 (Chap. 431, Stats. of 2005) added section 104113 to the Health & Safety Code, which mandated "health studios" to have and maintain an AED on location and requires employee(s) be trained to use it and available during normal working hours. AB 1507 requires health studios to acquire AEDs from July 1, 2007 until July 1, 2012. At the end of this period, health studios can voluntarily obtain and maintain the AEDs, but it is not required.

Title 22  
California Code of Regulations  
AMEND: 100031, 100032, 100033, 100034, 100035, 100036, 100037, 100038, 100039, 100040, 100042, 100043 REPEAL: 100041  
Filed 12/09/2008  
Effective 01/08/2009  
Agency Contact: Laura Little (916) 322-4336

File# 2008-1024-03  
FISH AND GAME COMMISSION  
Prawn and Shrimp Trawling

This action updates the regulations for the commercial shrimp and prawn trawl fishery, reorganizing them to improve clarity and amending them to conform to changes in Fish and Game Code sections 8841 and 8842, including provisions that became operative January 1, 2008.



Title 14  
 California Code of Regulations  
 ADOPT: 120.1, 120.2 AMEND: 120, 120.3 RE-  
 PEAL: 120.01  
 Filed 12/10/2008  
 Effective 01/09/2009  
 Agency Contact:  
 Sherrie Fonbuena (916) 654-9866

File# 2008-1125-07  
**OFFICE OF INFORMATION SECURITY AND PRI-  
 VACY PROTECTION**  
 Conflict of Interest Code

The Office of Information Security and Privacy Protection is adopting its conflict of interest code found at title 2, section 25100, California Code of Regulations. This adoption was approved for filing by the Fair Political Practices Commission on November 10, 2008.

Title 2  
 California Code of Regulations  
 ADOPT: 25100  
 Filed 12/09/2008  
 Effective 01/08/2009  
 Agency Contact:  
 Mr. Dana Winterrowd (916) 323-7300

File# 2008-1105-01  
**PHYSICAL THERAPY BOARD OF CALIFORNIA**  
 Administrative Citation and Fine

This amendment (16 CCR section 1399.25) and repeal (16 CCR section 1399.26) sets forth the conditions and factors the Board will consider in determining the monetary amount of an administrative citation. The Board is also repealing the section that lists each Business and Professions Code section separately and sets for the exact fine for each violation. As an example, the fine for violating Business and Professions Code section 490.5 "shall be from \$100 to \$2500." Additionally, the statute authorizing the fine authorizes amounts up to \$5,000, so the amendment to section 1399.25 includes a provision allowing a fine for up to \$5,000 in certain extenuating circumstances.

Title 16  
 California Code of Regulations  
 AMEND: 1399.25 REPEAL: 1399.26  
 Filed 12/09/2008  
 Effective 01/08/2009  
 Agency Contact: Elsa Ybarra (916) 561-8262

File# 2008-1113-01  
**STATE ALLOCATION BOARD**  
 Surplus School Property; Use of Proceeds

Education Code section 17462 specifies that funds from the sale of surplus school property may be deposited in the school district's general fund under certain conditions, prohibits use of such funds for "ongoing expenditures," and authorizes the State Allocation Board to define "ongoing expenditures." This regulatory action revises the definition of "ongoing expenditures" to specify that a single and one-time payment toward an unfunded liability for postemployment benefits other than pensions is not an "ongoing expenditure" under certain conditions.

Title 2  
 California Code of Regulations  
 AMEND: 1700  
 Filed 12/08/2008  
 Effective 12/08/2008  
 Agency Contact: Robert Young (916) 445-0083

File# 2008-1023-01  
**STATE WATER RESOURCES CONTROL BOARD**  
 TMDL for Bacteria in the Harbor Beaches of Ventura County

This action is the State Water Resources Control Board's approval of the Los Angeles Regional Water Quality Control Board's amendments of the Los Angeles Region Basin Plan establishing a Total Maximum Daily Load (TMDL) for bacteria at Kiddie Beach and Hobie Beach located in Channel Islands Harbor.

Title 23  
 California Code of Regulations  
 ADOPT: 3939.33  
 Filed 12/09/2008  
 Effective 01/08/2009  
 Agency Contact: Nick Martorano (916) 341-5980

File# 2008-1023-04  
**SUPERINTENDENT OF PUBLIC INSTRUCTION**  
 State Preschool

This regulatory action deals with state preschool enrollment criteria and the granting of priority status for certain populations to reflect statutory changes. These regulations also address enrollment priorities and clarify the use of the Centralized Eligibility List (CEL) pursuant to Education Code section 8227 for children eligible for both state preschool and federal Head Start programs when those children are in need of full-day, full-year services.

Title 5  
California Code of Regulations  
ADOPT: 18131.1 AMEND: 18131  
Filed 12/09/2008  
Effective 01/08/2009  
Agency Contact: Connie Diaz (916) 319-0860

**CCR CHANGES FILED  
WITH THE SECRETARY OF STATE  
WITHIN July 9, 2008 TO  
December 10, 2008**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 2**

12/09/08 ADOPT: 25100  
12/08/08 AMEND: 1700  
11/03/08 AMEND: 647.1, 647.2, 647.3, 647.20,  
647.20.1, 647.21, 647.22, 647.23,  
647.24, 647.25, 647.26, 647.30, 647.31,  
647.32, 647.33, 647.35, 647.36, 648.1,  
648.3, 648.5, 649.20, 649.21  
10/31/08 AMEND: 18545, 18703.4, 18730,  
18940.2, 18942.1, 18943  
10/31/08 ADOPT: 18402.1 AMEND: 18427  
10/22/08 ADOPT: 59600  
10/21/08 ADOPT: 1859.41.1, 1859.42.1 AMEND:  
1859.2, 1859.41, 1859.42, 1859.43,  
1859.51, 1859.147, Form SAB 50-01,  
Form SAB 50-03  
10/20/08 ADOPT: 20120, 20121, 20122, 20123,  
20124, 20125, 20126, 20127  
09/04/08 ADOPT: 18530.45  
09/04/08 AMEND: 18946.4  
08/14/08 AMEND: 1859.2, 1859.121, 1859.122,  
1859.127, 1859.129  
08/08/08 ADOPT: 21905.5 AMEND: 21903,  
21905  
07/16/08 ADOPT: 18946.6  
07/10/08 AMEND: 1859.76, 1859.83, 1859.104.3  
07/10/08 AMEND: 1859.71

**Title 3**

12/10/08 AMEND: 3589  
12/04/08 AMEND: 3435(b)  
11/26/08 AMEND: 3406(b)  
11/20/08 ADOPT: 6400  
11/12/08 AMEND: 3591.5(a)

11/12/08 AMEND: 3434(b)  
11/07/08 AMEND: 3433(b)  
10/30/08 ADOPT: 1430.142 AMEND: 1430.43  
REPEAL: 1430.44.5  
10/29/08 AMEND: 3435(b)  
10/28/08 ADOPT: 3408  
10/22/08 AMEND: 3700(c)  
10/20/08 AMEND: 3433(b)  
10/20/08 AMEND: 3434(b)  
10/17/08 AMEND: 3423(b)  
10/15/08 AMEND: 3433(b)  
10/14/08 AMEND: 3434(b)  
10/14/08 AMEND: 3423(b)  
10/01/08 AMEND: 3434(b)  
09/24/08 AMEND: 810.1 REPEAL: 810  
09/23/08 AMEND: 3591.20(a)  
09/23/08 AMEND: 3434(b)  
09/18/08 AMEND: 3591.20(a)  
09/17/08 AMEND: 3435(b)  
09/11/08 AMEND: 3591.20(a)  
09/10/08 AMEND: 3434  
09/05/08 ADOPT: 3435  
09/03/08 AMEND: 6452.2  
09/02/08 AMEND: 3433(b)  
09/02/08 AMEND: 3591.6(a)  
08/26/08 AMEND: 3434(b)  
08/25/08 AMEND: 3423(b)  
08/18/08 AMEND: 6738, 6739  
08/18/08 AMEND: 3434(b)  
08/13/08 AMEND: 3434(b)  
08/12/08 AMEND: 3406(b)  
08/11/08 AMEND: 3406(b)  
08/01/08 AMEND: 3589(a)  
08/01/08 ADOPT: 3591.22  
07/28/08 AMEND: 3434(b)  
07/25/08 AMEND: 902.9  
07/24/08 ADOPT: 3591.21  
07/22/08 AMEND: 3417(b)  
07/16/08 AMEND: 3700  
07/16/08 AMEND: 3406  
07/14/08 AMEND: 3963  
07/11/08 AMEND: 3434(b)  
07/09/08 AMEND: 3434(b)

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11/24/08 ADOPT: 8102, 8102.1, 8102.2, 8102.3,  
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8102.9, 8102.10, 8102.11, 8102.12,  
8102.13, 8102.14, 8102.15 AMEND:  
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11/17/08 AMEND: 1505  
10/30/08 AMEND: 1606  
10/16/08 ADOPT: 12047, 12048, 12050, 12348  
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10/03/08 ADOPT: 12008 AMEND: 12122,  
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12220.20, 12220.20A, 12222, 12237,  
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09/29/08 AMEND: 1843.2

09/02/08 AMEND: 1850

08/25/08 ADOPT: 8102, 8102.1, 8102.2, 8102.3,  
8102.4, 8102.5, 8102.6, 8102.7, 8102.8,  
8102.9, 8102.10, 8102.11, 8102.12,  
8102.13, 8102.14, 8102.15 AMEND:  
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08/21/08 ADOPT: 1634 AMEND: 1420

08/12/08 ADOPT: 4180, 4181

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12200.13, 12200.14, 12200.16,  
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12558, 12560, 12562, 12564, 12566,  
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08/04/08 AMEND: 1843.2

07/14/08 AMEND: 8070, 8072, 8073

07/10/08 AMEND: 1481, 1783, 1784

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12/09/08 ADOPT: 18131.1 AMEND: 18131

11/06/08 AMEND: 42723

10/17/08 ADOPT: 100000, 100001, 100002,  
100003, 100004, 100005, 100006,  
100007, 100008, 100009, 100010,  
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10/14/08 ADOPT: 42729

09/10/08 AMEND: 41000

09/09/08 ADOPT: 19828.3, 19837.2 AMEND:  
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08/11/08 AMEND: 41000

08/04/08 ADOPT: 15575, 15576, 15577, 15578

07/16/08 AMEND: 18272

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12/02/08 AMEND: 2940.6, Appendix C

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11/19/08 AMEND: 1658(p)

11/17/08 ADOPT: 10116, 10116.1, 10116.2,  
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10116.8 AMEND: 10123.1 renumbered  
to 10116.4, 10001 renumbered to  
10116.9, 10002 renumbered to 10117,  
10003 renumbered to 10118, 10004  
renumbered to 10119, 10005 renumbered  
to 10120, 10123, 10127, 10127.1, 10128,  
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11/17/08 ADOPT: 10210, 10211, 10212, 10213,  
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10297 AMEND: 10252, 10252.1  
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11/17/08 ADOPT: 10150.1, 10150.2, 10150.3,  
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11/17/08 ADOPT: 10397, 10403, 10409, 10508,  
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11/12/08 AMEND: 15600, 15601, 15602, 15603,  
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11/06/08 AMEND: 2540.8, 2540.9, 2548.23,  
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10/01/08 AMEND: 3412, 3413, 3414, 3416  
09/23/08 AMEND: 5155  
09/22/08 ADOPT: 1530.1  
09/17/08 AMEND: 1512  
08/26/08 AMEND: 5168, 6775  
08/25/08 ADOPT: 9721.11, 9721.12, 9721.13,  
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9720.1, 9720.2, 9721.1, 9721.2, 9721.31,  
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08/08/08 AMEND: 1532.1  
08/04/08 AMEND: 3649  
08/04/08 AMEND: Appendix C following section  
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07/30/08 AMEND: 1524  
07/18/08 AMEND: 290.0, 290.1, 291.0, 291.1,  
291.2, 291.5, 292.0, 294.0, 295.0, 296.0,  
296.1, 296.2, 296.3, 296.4  
07/18/08 AMEND: 2500.7  
07/17/08 AMEND: 4885, 4924, 5004  
07/17/08 AMEND: 1604.24, 1604.26  
07/14/08 AMEND: Appendix B following 1541.1  
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11/18/08 ADOPT: 9550  
07/11/08 ADOPT: 1810.207.5, 1810.220.5  
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12/02/08 AMEND: 2652.1  
11/12/08 AMEND: 2498.4.9  
11/12/08 AMEND: 2498.4.9  
11/07/08 AMEND: 2498.5  
11/03/08 AMEND: 2498.5  
09/22/08 AMEND: 2699.6500, 2699.6803,  
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09/15/08 AMEND: 2699.6619, 2699.6700,  
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09/11/08 AMEND: 2330.1  
08/15/08 ADOPT: 2844 AMEND: 2840, 2842  
08/14/08 AMEND: 2699.100, 2699.201,  
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08/04/08 AMEND: 5000, 5110, 5111, 5112, 5113,  
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07/30/08 AMEND: 2498.6  
07/24/08 AMEND: 2498.4.9  
07/23/08 AMEND: 2498.4.9  
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07/21/08 ADOPT: 2330.1, 2330.3, 2330.4, 2330.5  
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07/10/08 AMEND: 2699.6611

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12/02/08 AMEND: 1005, 1007, 1008  
11/07/08 AMEND: 1005, 1081  
10/27/08 AMEND: 1005, 1007, 1008, 1052  
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10/02/08 AMEND: 1003, 9040, 9041, 9073(b)  
10/02/08 AMEND: 1081  
09/23/08 ADOPT: 44.3

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12/05/08 AMEND: 110.04  
12/01/08 AMEND: 1956.8  
11/24/08 ADOPT: 2027  
11/03/08 AMEND: 25.06, 25.07, 25.08, 25.09,  
25.10, 25.14, 25.15, 25.16, 25.17, 25.18,  
25.19, 25.20, 25.21, 25.22  
10/20/08 ADOPT: 346.00, 346.02, 346.04, 346.06,  
346.08, 346.10, 346.12, 346.14, 346.16  
10/07/08 AMEND: 935  
10/02/08 AMEND: 423.00  
10/02/08 AMEND: 15.00, 15.03  
09/08/08 AMEND: 2449  
08/29/08 ADOPT: 2660(a)(0.5), 2260(a)(0.7),  
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2260(a)(10.5), 2260(a)(10.7),  
2260(a)(19.7), 2260(a)(19.8),  
2260(a)(23.5), 2260(a)(23.7),  
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2264.2(d), 2265(c)(4), 2265.1, 2265.5,  
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08/13/08 ADOPT: 619.2 AMEND: 615, 615.1,  
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07/15/08 AMEND: 440.04

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12/03/08 AMEND: 2299.3, 93118.3  
10/20/08 ADOPT: 2299.5, 93118.5

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12/10/08 ADOPT: 120.1, 120.2 AMEND: 120,  
120.3 REPEAL: 120.01  
11/26/08 AMEND: 1257  
11/24/08 AMEND: 749.3  
11/13/08 ADOPT: 18660.40



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11/07/08	AMEND: 1038(i)	08/04/08	AMEND: 2041
11/07/08	AMEND: 895.1, 898, 914.8, 916, 916.2, 916.9, 916.11, 916.12, 923.3, 923.9, 934.8, 936, 936.2, 936.9, 936.11, 936.12, 943.3, 943.9, 954.8, 956, 956.2, 956.9, 956.11, 956.12, 963.3, 963	08/04/08	AMEND: 3000, 3005, 3006, 3008, 3009, 3011, 3012, 3013, 3015, 3016, 3290, 3310, 3313, 3314, 3315, 3317, 3318, 3320, 3323, 3327, 3328
10/30/08	AMEND: 29.85	07/30/08	ADOPT: 3503, 3505, 3506, 3507, 3508, 3509, 3510, 3511, new Article 2 and title, 3520, 3521, 3521.1, 3521.2, 3521.3, 3521.4, 3521.5, 3521.6, 3522, 3523, 3524, 3525, 3526, 3527, new Article 3 and title, 3540, 3541, 3542, 3543, 3544, 3545, 3546, 3547, 3548, 3549, new Article 4 and title, 3560, 3561, 3562, 3563, 3564, new Article 5 and title, 3570, 3571, new Article 6 and title, 3580, 3581, 3582, new Article 7 and title, new Article 8 and title, new Article 9 and title, new Article 10 and title, new Article 12 and title, 3640, new Article 13 and title, 3650, 3651, 3652, 3652.1, 3653, 3654, new Article 14 and title, 3700, 3701, 3702, 3703, 3704, 3705, 3706, 3707, new Article 15 and title, 3720, 3721, 3721.1, 3722, 3723, new Article 16 untitled, 3730, new Article 17 and title, new Article 18 and title, 3750, 3751, 3752, 3753, 3754, 3755, 3756, new Article 19 and title, 3760, 3761, 3762, 3763, 3764, 3765, 3766, new Article 20 and title, 3770, 3771, and 3772. AMEND: 3604, 3605, 3605.5, 3701.1, 3705, 3706, 3801, 3802, renumber old Article 2 with title, and 3815.
10/23/08	AMEND: 163, 164	07/17/08	ADOPT: 3134.1 AMEND: 3130, 3131, 3132, 3133, 3134, 3135, 3136, 3137, 3138, 3139, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3147
10/22/08	AMEND: 1052.4	07/14/08	ADOPT: 1700, 1706, 1712, 1714, 1730, 1731, 1740, 1747, 1747.5, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1756, 1757, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788, 1790, 1792
10/21/08	AMEND: 15387 Appendix C	<b>Title 16</b>	
10/09/08	AMEND: 791, 791.7, 795	12/09/08	AMEND: 1399.25 REPEAL: 1399.26
09/22/08	AMEND: 4900 REPEAL: 4901, 4902, 4903, 4904	11/24/08	AMEND: 1419, 1419.1, 1419.3
09/15/08	AMEND: 502	10/30/08	AMEND: 1399.571
09/11/08	AMEND: 10310, 10360, 10810, 10820, Appendix D, Appendix F	10/17/08	ADOPT: 1399.610, 1399.612 AMEND: 1399.502
09/09/08	ADOPT: 17987, 17987.1, 17987.2, 17987.3, 17987.4, 17987.5, 17987.6	10/07/08	AMEND: 832.47
09/04/08	AMEND: 670.2	10/02/08	AMEND: 3351.2
08/27/08	AMEND: 300	09/29/08	AMEND: 2522, 2524, 2579, 2579.10 REPEAL: 2522.5, 2579.1
08/25/08	ADOPT: 27.32 AMEND: 27.20(f), 27.25, 27.30, 28.26, 28.27, 28.28, 28.29, 28.48, 28.49, 28.51, 28.52, 28.53, 28.54, 28.55, 28.56, 28.57, 28.58		
08/18/08	AMEND: 749.3		
08/14/08	ADOPT: 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965		
08/12/08	ADOPT: 124		
08/11/08	AMEND: 503		
08/06/08	AMEND: 815.05, 818.02, 825.05, 827.02		
07/28/08	AMEND: 702		
07/23/08	AMEND: 7.50		
07/15/08	ADOPT: 4860		
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11/26/08	ADOPT: 1700, 1706, 1712, 1714, 1730, 1731, 1740, 1747, 1747.5, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1756, 1757, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788, 1790, 1792		
10/30/08	AMEND: 3000, 3375, 3376.1, 3379		
10/28/08	ADOPT: 3999.7		
10/23/08	ADOPT: 1417 AMEND: 1029, 1206, 1248, 1357, 1358, 1461		
10/15/08	ADOPT: 3999.6		
09/15/08	ADOPT: 3269		
09/03/08	AMEND: 2253		

09/22/08 AMEND: 4154, 4155  
 09/19/08 AMEND: 11.5, 12, 12.5, 37, 87.1  
 09/10/08 ADOPT: 1028.2, 1028.3, 1028.4, 1028.5  
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 08/27/08 AMEND: 2250 REPEAL: 2274, 2277  
 08/25/08 AMEND: 1399.480, 1399.481,  
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 08/07/08 AMEND: 4161  
 07/30/08 AMEND: 2649  
 07/23/08 AMEND: 1399.152.2, 1399.153,  
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 07/18/08 AMEND: 134 REPEAL: 135  
 07/09/08 ADOPT: 1984

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 08/06/08 AMEND: 94006  
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12/01/08 AMEND: 1602.5  
 11/14/08 AMEND: 1591, 1602  
 09/24/08 AMEND: 1574  
 09/24/08 AMEND: 1599  
 08/11/08 AMEND: 1807, 1828  
 08/05/08 AMEND: 3000  
 07/16/08 AMEND: 5216, 5310, 5311, 5326.4,  
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11/14/08 AMEND: 2900, 2910, 2915, 2920, 2930,  
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 09/24/08 AMEND: 560  
 09/24/08 AMEND: 906.3  
 08/07/08 ADOPT: 1980.00, 1980.01, 1980.02,  
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11/26/08 AMEND: 6633.2

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12/09/08 AMEND: 51521  
 12/09/08 AMEND: 100031, 100032, 100033,  
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 11/24/08 AMEND: 2706-1  
 11/20/08 AMEND: 3254(i)-2  
 11/13/08 ADOPT: 97234, 97267 AMEND: 97215,  
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 11/06/08 AMEND: 2706-2, 3302-1, 3303.1(c)-1  
 10/29/08 AMEND: 64413.1, 64414, 64431,  
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 10/28/08 AMEND: 87102, 87105  
 10/15/08 AMEND: 2051-3  
 09/26/08 AMEND: 3258-1, 3267-1, 3267-2  
 08/07/08 AMEND: 51098.5, 51202.5, 51309.5,  
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 84090, 84165, 84265, 86065, 86068.2,  
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 88068.2, 88069.7, 89317, 89378, 89405

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 12/01/08 ADOPT: 3949.6  
 11/06/08 AMEND: 2200, 2200.4, 2200.5, 2200.6  
 11/06/08 ADOPT: 3939.32  
 11/05/08 AMEND: 1062, 1064, 1077, 3833.1  
 10/22/08 ADOPT: 3989.7  
 10/14/08 AMEND: 3939.19  
 10/06/08 AMEND: 3939.20  
 09/17/08 ADOPT: 3919.4

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12/05/08 ADOPT: 7150, 7151, 7152, 7153, 7154,  
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 10/08/08 AMEND: 4000, 4002, 4004, 4010, 4017,  
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08/29/08	ADOPT: 4200, 4202, 4204, 4206, 4208, 4210, 4212, 4214, 4216	<b>Title 28</b>	09/15/08	ADOPT: 1300.71.39
07/14/08	AMEND: 2002, 4004, 5002, 5511	<b>Title MPP</b>	09/29/08	ADOPT: 14-611, 14-915, 14-916 AMEND: 14-610
<b>Title 27</b>			09/18/08	AMEND: DSS MPP 63-102, 63-504
12/02/08	AMEND: 25805(b)			
09/05/08	AMEND: 25601			
08/08/08	AMEND: 25705(b)			